

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, December 19, 2000
Tuesday, 9:05 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Gale, Lambke, Martz, Pisciotte, Rogers; present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by Judith Press, Mid-Kansas Jewish Federation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

Minutes of the regular meeting of December 12, 2000, were approved 7 to 0.

AWARDS AND PRESENTATIONS

SERVICE CITATION

Distinguished Service Citations were presented.

PROCLAMATIONS

Proclamations were presented.

RECOGNITION

Several churches were recognized for active roles in youth lives.

PUBLIC AGENDASharon Feary – 21st Street Economic Initiative.

Sharon Feary

Sharon Feary, North 21st Street Economic Development Coalition, urged pursuit of a 21st Street Bridge over the floodway, and that 13th and 25th Streets bridges be removed from consideration.

A 21st Street bridge would provide the most benefit to the City as a whole. The bridge is already scheduled to be rebuilt, fewer homes would need to be removed, and traffic volumes in front of retirement homes would not be increased. The corridor would go from county line to county line.

The engineering firm that recommended a 13th Street bridge did not consider socio-economic factors.

A Task Force including members from neighborhood associations, businesses, Midtown, retirement centers, and the City and County should be developed. The Task Force should consider new traffic counts and all ramifications, including the redesign of the bridge on Kellogg, even without the redesign of I-235. The Kellogg bridge improvement would encourage higher use of Kellogg.

Karole Bradford – “Celebrate Safely Campaign.”

Karole Bradford

Karole Bradford said the goal of the “Celebrate Safely Campaign” is to reduce random gunfire at midnight on New Years eve. There needs to be an awareness of the problem of the effects of bullets fired into the air.

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UNFINISHED BUSINESS

S/D 99-87

S/D 99-87 PLAT OF SAWMILL CREEK ADDITION LOCATED ON THE NORTHEAST CORNER OF ROCK ROAD AND 45TH STREET NORTH. (District II)

Deferred from December 12, 2000.

Council Member Pisciotte Council Member Pisciotte said he had received the requested information on this Item.

Agenda Report No. 00-1212 A.

Staff Recommendation: Approve the plat.
MAPC Recommendation: Approve the plat. (10-0)

This Item was deferred from the December 12, 2000, City Council meeting.

The site was annexed by the City in July 2000. Petitions, all 100%, have been submitted for sanitary sewer, storm sewer, paving and water improvements. A Certificate of Petitions have also been submitted.

In order to provide for the ownership and maintenance of the reserves, the applicant has submitted a restrictive covenant. To provide for off-street parking for lots adjacent to narrow streets, a covenant has also been submitted requiring that four (4) off-street spaces be provided for each such lot. This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificates of Petitions and restrictive covenants will be recorded with the Register of Deeds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Pisciotte moved that documents and plat be approved; the Resolutions be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-433

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System No. 448-89509, (east of Rock, north of 45th Street North), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-434

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89510, (east of Rock, north of 45th Street North), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-435

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89511, (east of Rock, north of 45th Street North) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-436

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 156 (east of Rock, north of 45th Street North), 468-83169 in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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RESOLUTION NO. R-00-437

Resolution of findings of advisability and Resolution authorizing construction of Lateral 1, Main 11, Sanitary Sewer #23, (east of Rock, north of 45th Street North) 468-83170, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-438

Resolution of findings of advisability and Resolution authorizing construction of Lateral 2, Main 11, Sanitary Sewer #23, (east of Rock, north of 45th Street North) 468-83171, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-439

Resolution of findings of advisability and Resolution authorizing improving of Sawdust, from the east line of Rock Road to the west line of Spyglass; Sawdust Court, from the north line of Sawdust to and including the cul-de-sac; Sawdust Court, from the south line of Sawdust to and including the cul-de-sac; Sawdust Court, from the west line of Sawdust Court to and including the cul-de-sac; Sawdust Court, from the south line of Sawdust to and including the cul-de-sac (east of Rock, north of 45th Street North), 472-83281, the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-440

Resolution of findings of advisability and Resolution authorizing improving of Saw Mill Road from the east line of Rock to Bridgewood; Saw Mill Court, from the north line of Saw Mill Road to and including the cul-de-sac (Lots 1-6, Block 1 and Lots 7-12, Block 1) Saw Mill Court, from the south line of Saw Mill Road to and including the cul-de-sac (Lots 1-11, Block 7 and Lots 1-14, Block 9), Saw Mill Circle, from the east line of Saw Mill Road to and including the cul-de-sac (Lots 8-16, Block, 2); Bridgewood, from the south line of Saw Mill Road to the south line of Saw Mill Road; Bridgewood Court, from the south line of Bridgewood to and including the cul-de-sac (Lots 15-24, Block, 7); Bridgewood Court, from the east line of Bridgewood to and including the cul-de-sac (Lots 19-28, Block 2); Spyglass, from the north line of Sawdust to the south line of Bridgewood; Spyglass Court, from the west line of Spyglass to and including the cul-de-sac (lots 29-37, Bloc, 7); Spyglass Court, from the south line of Spyglass to and including the cul-de-sac (Lots 22-31, Block 5); Blade, from the east line of Spyglass to and including the cul-de-sac (Lots 4-8, Block 3); Scragg, from the north line of Blade to the east line of Sawmill Creek Addition; Scragg Circle, from the south line of Blade to and including the cul-de-sac; Millrun, from the east line of Spyglass to the south line of Blade; and Millrun Court, from the south line of Millrun to and including the cul-de-sac (east of Rock, north of 45th Street North), 472-83282, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-441

Resolution of findings of advisability and Resolution authorizing improving deceleration lane from Rock Road serving Sawdust; deceleration lane from Rock Road serving Saw Mill Road; and deceleration lane from 45th Street North serving Spyglass (east of Rock, north of 45th Street North) 472-83283, the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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A00-13

A00-13 ANNEXATION OF STREET RIGHTS-OF-WAY ADJACENT TO RAYTHEON AND A PORTION OF 119TH STREET WEST, SOUTH OF 21ST NORTH. (Districts II and V)

Deferred from August 22, 2000.

Steve Lackey

Director of Public Works reviewed the Item.

Agenda Report No. 00-0840 A.

This Item was deferred at the August 22, 2000, City Council meeting. Recently the Public Works Departments of the City of Wichita and Sedgwick County reviewed the arterial streets on the periphery of the City to determine if certain arterial street segments should be annexed and maintained by the City of Wichita. Street segments were considered for annexation if, based on City policy, the street segment abuts the City for a ½ mile or more, or the property on both sides of the street is in the City. This review identified various segments adjacent to Raytheon and a segment of 119th Street West south of 21st Street North.

21st Street North: From Webb Road to Greenwich Road, this segment of 21st Street North proposed for annexation abuts the City for a ½ mile on one side (North). The remaining ½ mile segment is already within the City.

Webb Road: From the St. Louis and San Francisco Railroad tracks south to Kellogg, two segments of Webb Road are proposed for annexation. These segments abut the City for more than a ½ mile on one side (West). The remaining segments of Webb Road are already within the City.

Greenwich Road: From 21st Street North to Kellogg, two segments of Greenwich Road are proposed for annexation. These segments abut the City on one or both sides for approximately ½ mile or more (East), and the annexation of these segments makes for a more straight and harmonious boundary.

13th Street North: From approximately an 1/8 mile west of Greenwich to the City boundary east of K-96, a segment of 13th Street North is proposed for annexation. The City abuts on one or both sides of this segment (North and South), and the annexation of this segment makes for a more straight and harmonious boundary.

Central: From Webb Road to Greenwich Road, two segments of Central are proposed for annexation. The City abuts these segments on one side for approximately ½ mile or more (North).

119th Street West: From 21st Street North to 13th Street North, the majority of 119th Street West is within the City. The remaining section, proposed for annexation, abuts the City on one or both sides (East and West).

In addition, Sedgwick County has agreed to maintain segments of roads in eastern Sedgwick County until the City has annexed on both sides of the road in exchange for taking over the streets around Raytheon. This will allow for more efficient and logical service delivery from the City of Wichita and Sedgwick County Public Works Departments. Sedgwick County has also been willing to leave in their Capital Improvement Program the boundary arterial roads that would be subject to annexation. This has resulted in the City of Wichita annexing new and improved roads at the time the areas adjacent to the roads were annexed.

The City Public Works Department estimates the annual maintenance costs of the street segments proposed for annexation to be \$9,000 per lane mile. The street segments proposed for annexation are all 4-lane arterial roadways. The following shows the estimated annual maintenance cost by street segment:

<u>Street Segment</u>	<u>Estimated Annual Maintenance Cost</u>
21st Street North	\$18,000.00
Webb Road	\$72,000.00
Greenwich	\$72,000.00
13th Street North	\$18,000.00
Central	\$18,000.00
119th Street West	<u>\$18,000.00</u>
Total	\$216,000.00

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

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Motion -- carried

Martz moved that the annexation be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, introduced and under the rules laid over. A 00-13

(The Council took up Item 15; action is shown in Agenda order.)

TELECOMMUNICATIONS MASTER TELECOMMUNICATIONS ORDINANCE.

Deferred from September 19, 2000.

Jeanne Hernandez Internal Auditor reviewed the Item.

Joseph Pajor Natural Resources Director reviewed issues of where facilities will be placed and excess capacity of conduit.

Joe Lang First Assistant City Attorney summarized legal aspects of the Ordinance

Council Member Rogers momentarily absent.

Agenda Report No. 00-0921 A.

On September 19th, the City Council considered the proposed the Master Telecommunications Ordinance. Action was deferred to allow Council further study and assurance the Ordinance meets current and future needs of the community.

In developing the proposed Master Telecommunications Ordinance, Staff held educational meetings and considered comments from the telecommunications industry. Outside expertise in the telecommunications field was retained for consultation during the process. To assist the City in reviewing the issues raised by the City Council and industry, Public Technology, Inc. (PTI) was requested to apply its knowledge of telecommunications best practices in local governments and compare this information base to the proposed Ordinance under consideration by the City Council (PTI is the technology arm for the National League of Cities, the National Associations of Counties and the International City/County Managers Association). In PTI's opinion, the Proposed Master Telecommunication Ordinance contained the elements being adopted by cities nationally.

Ron Marnell, former cable/telecom industry executive, reviewed the Ordinance and consulted with Staff. Comments and recommendations from Mr. Marnell's review are incorporated in the Ordinance today.

City staff developed the Master Telecommunications Ordinance for the management of multiple telecommunication franchises. The Ordinance sets forth the elements of individual franchise agreements; each franchisee will be required to comply with the Ordinance. The benefits of such an Ordinance include the following:

- 1) Establishes local policy concerning telecommunication providers and services. (Once established, the Ordinance will facilitate competition and establish standards for the utilization of public rights-of-way);
- 2) Designed to protect the public interests and promote advanced telecommunication infrastructure;
- 3) Compensates the City for occupancy of the rights-of-way;
- 4) Requires all facilities-based telecommunication providers to register. (From registration, a determination will be made on whether a franchise or license will be granted.);
- 5) Provides the flexibility to change as technology and regulations change. (Previous franchises had to expire before the City could eliminate outdated terms and conditions.);
- 6) Reduces the time negotiating lengthy franchise agreements;
- 7) Changes franchise compensation method from access line to gross receipts. (Gross Receipts compensation keeps up with change in technology, while a per access line fee quickly outdates the actual use of the rights-of-way and associated fees). The compensation terms are applied to all users in a fair and consistent manner.
- 8) Places the burden of proof on the telecommunication-provider to account for fees associated with rights-of-way use, if they choose to "bundle" services in a billing system;
- 9) Treats all users of the rights-of-way substantially the same;

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10) Requires co-location of facilities to minimize damage, disruption and reduced street costs and inconvenience to this City.

From the November 21, 2000 workshop, several changes have been considered and incorporated into the proposed telecommunication ordinance. Changes were made to clarify the intent of the ordinance; however, the most material changes are outlined in this Agenda Report, as follows:

Bundled Services. As telecommunication companies provide new services, discounts and bundling of services is inevitable. The Ordinance requires the franchisee to account for gross receipts subject to a franchise fee and for discounts to be applied equally to all services. Otherwise, all bundled services will be subject to a gross receipts fee. This language is similar to proposed legislation at the state level to account for sales subject to state and local sales tax.

Registration. The ordinance requires facility-based telecommunication companies to register so a determination can be made on whether they provider needs a franchise or a license. A license may be required for placement of facilities for internal use of an applicant.

Gross Receipts. This definition was clarified to include the sale of accounts receivables and specific data services. The City Attorney has also issued an opinion that the City has the legal authority to require a franchise based upon gross receipts and that the amount of compensation sought is reasonable.

Pass Through Service. This is a new definition and means the facilities merely pass through the City from one point to another and does not serve individual customers. The franchise fee is \$2.50/linear foot annually for use of the right of way.

Agreement. This clarifies that a franchise or license granted under this Ordinance is effective with an executed written agreement setting forth the particular terms and provisions to occupy the rights-of-way.

Amendment and Renewal. A franchise is not amended or extended until violations have been cured or corrective action plan has been developed and approved.

Co-location and Additional Facility Requirements. Upon a determination that a franchisee is unable to co-locate and the City Engineer has determined the facilities should be underground and excess capacity is required, then such additional conduit shall at the option of the franchisee, be it owned by the City or Franchisee. If owned by the City, then a credit of the franchise fee shall be made in the amount of the incremental cost of the labor and material of installing the excess conduit.

All franchisees will be subject to the \$1.81/access line fee per month until the expiration of the SWB ordinance in July 2002. At this time, the franchise fee will be applied to 5% of Gross Receipts. Franchise fees will most likely increase as new communication services are being deployed through facilities in public rights-of-way.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Les Depperschmidt

Les Depperschmidt, Southwestern Bell, asked that action on the Ordinance be postponed and said the proposed ordinance contains provisions and requirements that would be a considerable hardship and in violation of the Kansas Constitution.

Many concerns have not been addressed. Unnecessary costs must be avoided to allow successful competition.

Mr. Depperschmidt asked that discussions be reopened to ensure meaningful dialogue between the industry and City.

Motion -- carried

Pisciotta moved that Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance authorizing the grant of franchises to telecommunications and open video system providers to construct, operate, and maintain communications systems using the right-of-way in the city of Wichita, Kansas, prescribing the terms and conditions of said grants; creating Chapter 3.93 of the code of the city of Wichita, introduced and under the rules laid over.

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NEW BUSINESS

PAVE 26TH STREET

PETITION TO PAVE 26TH STREET NORTH, FROM THE DRAINAGE CANAL TO MARKET; ALEY, FROM FAIRVIEW TO BROADWAY, AND BURNETT FROM THE DRAINAGE CANAL TO BROADWAY. (District VI)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 00-1232.

The signatures on the Petition represent 39 of 76 (51.3%) resident owners and 49.7% of the improvement district area. On December 4, 2000 District VI Advisory Board discussed the proposed project and recommended that it be approved.

The petitioned streets are sand roads that provides access to an area compromised predominately of single-family homes.

The estimated cost of the project is \$504,000 with \$408,000 assessed to the improvement district and \$96,000 paid by the City. The proposed method of assessment is the square foot basis. The estimated assessment rate is \$00.48 per square foot of ownership. The City share is for the cost of intersection construction. The funding source for the City share is General Obligation Bonds.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or by owners of the majority of the property in the improvement district. State Statutes also authorize the City Council to order in street paving projects.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Cole moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. R-00-442

Resolution of findings of advisability and Resolution authorizing improving of 26th Street North from the east line of the Drainage Canal to the west line of Market, Aley from the west line of Fairview to the west line of Market and from the east line of Market to the west line of Broadway and Burnett from the east line of the Drainage Canal to the west line of Market and from the east line of Market to the west line of Broadway, 472-83301, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotta, Rogers, Knight.

Council Member Rogers momentarily absent.

PAVE PORTER

PETITION TO PAVE PORTER, FROM 33RD STREET NORTH TO 34TH STREET NORTH. (District VI)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 00-1233.

The signatures on the Petition represent 27 of 55 (49%) resident owners and 55.2% of the improvement district area. On December 4, 2000 District VI Advisory Board discussed the proposed project and recommended that it be approved.

Porter between 33rd Street North and 34th Street North is a sand road that provides access to an area comprised predominately of single-family homes.

The estimated cost of the project is \$52,000 with the total assessed to the improvement district. The proposed method of assessment is the fractional basis. The estimated assessment rate is \$1,325 per tract.

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State Statutes provide that a Petition is valid if signed by a majority of resident property owners or by owners of the majority of the property in the improvement district. State Statutes also authorize the City Council to order in street paving projects.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Jim Kincaid

Jim Kincaid spoke in approval of the project.

Motion --

-- carried

Cole moved that the Petition be approved and the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a design engineer. Motion carried 7 to 0.

RESOLUTION NO. R-00-443

Resolution of findings of advisability and Resolution authorizing improving of Porter, from the north line of 33rd Street North to the south line of 34th Street North, 472-83302, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Cole moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

STREET IMP.

21ST STREET AND ROCK ROAD INTERSECTION IMPROVEMENTS. (District II)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 00-1234.

The Capital Improvement Program includes an ongoing program to relieve traffic congestion in the Rock Road Corridor (CIP No. MS-200004, page 51). One element of the program is improvements to the intersection of Rock Road at 21st Street. The City Engineer's Office staff has presented the plan to affected property owners, tenants, and to the District Two Advisory Board. The design plan needs to be finalized so that detailed construction plans can be completed.

The design plan includes street widening and access modifications (non-mountable median) on Rock between Rockhill and 21st street and 1000' east and west of Rock on 21st. The intersection of 21st Street at Bradley Fair Parkway is to be signalized.

Staff believes the current proposal satisfactorily addresses the concerns of the majority of the adjacent businesses. McDonald's requested an eastbound left turn lane on 21st Street. This is not being recommended because of its close proximity to Rock Road and the effect it would have on safety and the interruption to eastbound through traffic and westbound left turning traffic.

The CIP budget for the improvement is \$2,000,000. The funding source is a combination of General Obligation Bonds, special assessments, and Federal grants administered by the Kansas Department of Transportation.

Mayor Knight momentarily absent.

Council Member Martz momentarily absent.

Council Member Cole momentarily absent.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Bob Kaplan

Bob Kaplan, representing Sundance Apartments, said the same medial cut for Bradley Fair could also be used to benefit Sundance. While Sundance can be accessed through another entry, it is requested that alternate access also be provided at the southbound medial cut for Bradley Fair or at the north property line of Sundance.

Matt Raper

Matt Raper, restaurant owner in the Tallgrass Plaza, spoke in support of 98 percent of the plan. Accommodations were also requested at East 21st Court. Twenty-first and Rock Road is a destination, not part of through traffic. A left-turn lane to stack three to four cars was also requested.

Motion --

-- carried

Pisciotte moved that the design plan be approved and completion of the construction plans be authorized, subject to further discussions with businesses in the area. Motion carried 7 to 0.

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WEAVER MFG.

TAX EXEMPTION REQUEST – WEAVER MANUFACTURING, INC. (District I)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-1235.

Weaver Manufacturing, Inc., located at 1005 E 17th in northeast Wichita, was locally formed in 1942. Weaver Manufacturing, Inc. is a machine shop supporting Wichita's aircraft industry. Weaver Manufacturing, Inc. is experiencing growth in sales and production. In response to an increase in production requirements, Weaver Manufacturing, Inc. expanded their existing facility to include construction of additional manufacturing space and the purchase of new equipment. Weaver Manufacturing, Inc. is requesting approval of a five-plus-five year 100% Economic Development Tax Exemption on additional manufacturing space and new equipment in conjunction with the expansion project.

Weaver Manufacturing, Inc. manufactures precision component aircraft parts in support of Wichita's major aircraft manufacturers. Weaver Manufacturing, Inc. specializes in engine attachment rings for aircraft, which are the rings that hold the jet engines onto a plane's wing. Weaver also manufactures structural component parts such as floor beams and seat tracks. Weaver utilizes precise equipment to machine component parts up to 80" to 125" in length. By using the latest in computer technology, the company has built a reputation for producing high quality, close tolerance machined parts as well as tooling and prototype work.

Weaver Manufacturing, Inc.'s expansion project will result in a new 14,600 SF manufacturing facility. Weaver Manufacturing's capital investment in the new construction portion of their expansion will be \$526,277. The acquisition of new equipment will be in the amount of \$1,842,048, purchased by a 60%-owned affiliate, TDR, Ltd, and leased to Weaver Manufacturing, Inc. by such affiliate. Total capital investment in the expansion project is \$2,368,325.

Weaver Manufacturing Inc. currently employs 49 persons. The expansion project will create 8 new jobs over the next five years. Weaver exports 96% of all production out of Kansas via Boeing, B.F. Goodrich and Nordam.

The Weaver Manufacturing Inc./TDR, Ltd's, expansion project is itemized in Exhibit I attached hereto. Under the City's Business Incentives Policy, Weaver Manufacturing Inc. and TDR, Ltd. are eligible for the following:

TAX EXEMPTION ELIGIBILITY

<u>ELIGIBLE %</u>	<u>INCENTIVE</u>	<u>EXPLANATION</u>
19.5%	New Job Creation:	Weaver Manufacturing Inc. will create 8 new jobs.
27.75%	Capital Improvements:	Weaver Manufacturing Inc. invested \$2,368,325.
47.25%	Sub Total Business - Incentive Eligibility (Maximum allowed is 50%)	
48.0%	Export Premium:	Weaver exports 96% of its product outside Kansas.
48.0%	Sub Total – Export Premium (Maximum allowed is 50%)	
20.0%	Location Premium:	Weaver is located in the central redevelopment area (additional 20% allowed)
100%	TOTAL EXEMPTION ALLOWED UNDER BUSINESS INCENTIVE POLICY	

Under the City's Business Incentives Policy, Weaver and TDR, Ltd are eligible for 100% tax exemption for a five-year term on real and personal property and a 50% exemption on real property for a second five-year term, subject to Council review. A notice of public hearing has been published. Weaver has agreed to comply with the conditions set forth in the Business Incentive Policy.

The estimated first year taxes on the proposed \$2,368,325 expansion would be \$13,042, on real property improvements and \$39,122 on personal property, based on the 2000 mill levy. Using the allowable tax exemption of 100 percent, the City would be exempting (for the first year) \$52,164 of new taxes for the real and personal property tax rolls. The tax exemption would be shared among the taxing entities as follows: City – \$16,527; County/State - \$15,891; and USD 259 - \$19,746.

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Wichita State University Center for Economic Development and Business Research calculated a cost-benefit analysis indicating benefit-to-cost ratios, which are as follow:

City of Wichita	2.26 to one
Sedgwick County	1.79 to one
USD 259	2.49 to one
State of Kansas	4.18 to one

- Council Member Lambke Council Member Lambke said he had a problem with abating taxes that are currently on the tax rolls.
- Allen Bell Financial Projects Director explained that the policy is to allow the exemption for buildings that have vacant for a minimum of six months.
- Council Member Lambke Council Member Lambke stated that he still questioned whether it is a good practice to remove property from the tax rolls. Further study is deserved.
- Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.
- Motion -- Rogers moved that the Public Hearing be closed and the Ordinance granting Weaver Manufacturing, Inc. and TDR, Ltd. a 100% tax exemption on the identified real and personal property improvements for a five-year term, and a 50% exemption on the real property only, for a second five-year term, subject to City Council review, be placed on first reading. Motion carried 7 to 0.
- carried

ORDINANCE

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of Weaver Manufacturing, Inc., introduced and under the rules laid over.

CHAMPION IND.

TAX EXEMPTION REQUEST – CHAMPION INDUSTRIES, INC. (District IV)

Allen Bell Financial Projects Director reviewed the Item.

Agenda Report No. 00-1236.

Champion Industries, Inc., located at 1107 S. West in southwest Wichita, was locally formed in 1995, but actually commenced business in 2000. Champion Industries, Inc. is a minority-owned business specializing in high-quality machining operations for the local aircraft industry. As a result of sustained growth in sales, Champion Industries has expanded its manufacturing capacity, to include acquisition of an existing building, and purchase of new manufacturing equipment. Champion Industries, is now requesting approval of an Economic Development Tax Exemption on acquisition of the facility and manufacturing equipment, in conjunction with the expansion project.

Champion Industries is a company that produces contoured and highly intricate parts for the aircraft industry. Champion Industries has acquired seven new computer numerically controlled (CNC) vertical machining centers. The equipment is utilized to cut away the excess from a block of material to leave the required part. These machines have the ability to cut material ranging from aluminum through tooling steel, including inconel and titanium. Through the use of computer programming, the machine is directed to perform exact cuts with tolerances as extreme as two-ten thousandths (.0002) of an inch with a repeatability factor down to one-ten thousandths (.0001) of an inch. Champion's machines can accommodate parts up to five feet (5') in length by two feet (2') in height, and have spindle speeds of from 5,000 rpm to 10,000 rpm.

Champion Industries currently employs seven persons and plans to add at least nine new jobs over the next five years by expanding operations through acquisition of new manufacturing equipment. In addition, Champion Industries has purchased and has made renovations to a 60,900 S.F. facility.

The expansion project is itemized in Exhibit I attached hereto. Under the City's Business Incentives Policy, Champion Industries, Inc. is eligible for the following:

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TAX EXEMPTION ELIGIBILITY

ELIGIBLE %	INCENTIVE	EXPLANATION
21%	New Job Creation:	Champion will create at least 9 new jobs.
19%	Capital Improvements:	Champion will invest at least \$1,295,600.
40%	Sub Total Business - Incentive Eligibility (Maximum allowed is 50%)	
49.5%	Export Premium:	Champion exports 99% of its product outside Kansas.
49.5%	Sub Total – Export Premium (Maximum allowed is 50%)	
0%	Location Premium:	Champion is not located in the central redevelopment area (additional 20% allowed)
89.5%	TOTAL EXEMPTION ALLOWED UNDER BUSINESS INCENTIVE POLICY	

Champion Industries, is eligible for a 89.5% tax exemption for a five-year term on real and personal property and a 44.75% exemption on real property for a second five-year term, subject to Council review. A notice of public hearing has been published. Champion Industries has agreed to comply with the conditions set forth in the 1999 revised Business Incentive Policy.

The estimated first year taxes on the proposed \$1,295,600 expansion would be \$6,654.17 on real property improvements, and \$18,925.08 on personal property, based on the 2000 mill levy. Using the allowable tax exemption of 89.5 percent, the City would be exempting (for the first year) \$25,579.25 of new taxes for the real and personal property tax rolls. The tax exemption will be shared among the taxing entities as follows: City - \$8,103.84; County/State - \$7,792.39; and USD 259 - \$9,683.01.

Wichita State University Center for Economic Development and Business Research calculated a cost-benefit analysis indicating benefit-to-cost ratios, which are as follow:

City of Wichita	2.78 to one
Sedgwick County	2.13 to one
USD 259	1.25 to one
State of Kansas	19.50 to one

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- Gale moved that the Public Hearing be closed; and the Ordinance, granting a 89.5% tax exemption on the identified real and personal property improvements for a five year term, and a 44.75% exemption on the real property for a second five-year term, subject to City Council review, be placed on first reading. Motion carried 7 to 0.
-- carried

ORDINANCE

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of Champion Industries, introduced and under the rules laid over.

DIVERSIFIED SER.

TAX EXEMPTION REQUEST – DIVERSIFIED SERVICES, INC. (District IV)

Allen Bell Financial Projects Director reviewed the Item.

Agenda Report No. 00-1237.

Diversified Services, Inc., located at 1419 S. McLean Boulevard in south Wichita, was locally formed in 1961. Since inception, Diversified Services has sustained consistent growth in manufacturing parts for the aerospace industry. As a result of continuous growth in sales, Diversified Services has expanded their manufacturing capacity, to include acquisition of existing buildings, located at 1425 S. McLean and 1446 S. Osage, and acquisition of new manufacturing equipment. Diversified Services is now requesting approval of an Economic Development Tax Exemption on acquisition of both facilities and manufacturing equipment, in conjunction with the expansion project.

Diversified Services, Inc. is a national leader in aerospace finishing and inspection. Diversified Services provide processing services including chemical conversion, chromic acid anodizing, penetrant, prime, painting and NDT testing. To enhance Diversified Services capabilities, the recent expansion at 1446 S. Osage was undertaken in

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order to provide its customers with shot peening services. Shot peening is typically a process used to bend or curve aluminum. The building expansion that took place at 1425 S. McLean was undertaken to provide additional value-added assembly, processing and testing services. The building at 1425 S. McLean houses the very specialized Ultrasonic Inspection System units.

Diversified Services, Inc. currently employs 41 persons. The \$539,950 expansion project includes acquisition of two formerly vacant buildings of 36,000 s.f. and 6,740 s.f., for additional manufacturing space, and acquisition of manufacturing equipment. The expansion project will create 17 new jobs over the next five years.

The expansion project is itemized in Exhibit I attached hereto. Under the City's Business Incentives Policy, Diversified Services, Inc. is eligible for the following:

TAX EXEMPTION ELIGIBILITY

ELIGIBLE %	INCENTIVE	EXPLANATION
32.0%	New Job Creation:	Diversified will create 17 new jobs.
9.0%	Capital Improvements:	Diversified invested \$539,950?.
41.0%	Sub Total Business - Incentive Eligibility (Maximum allowed is 50%)	
48.0%	Export Premium:	Diversified exports 96% of its product outside Kansas.
48.0%	Sub Total – Export Premium (Maximum allowed is 50%)	
20.0%	Location Premium:	Diversified is located in the central redevelopment area (additional 20% allowed)
100.0%	TOTAL EXEMPTION ALLOWED UNDER BUSINESS INCENTIVE POLICY	

Diversified Services, Inc. is eligible for 100% tax exemption for a five-year term on real and personal property and a 50% exemption on real property for a second five-year term, subject to Council review. A notice of public hearing has been published. Diversified Services, Inc. has agreed to comply with the conditions set forth in the 1999 revised Business Incentive Policy.

The estimated first year taxes on the proposed \$539,950 expansion would be \$12,763 on real property improvements, and \$529.91 on personal property, based on the 2000 mill levy. Using the allowable tax exemption of 100 percent, the City would be exempting (for the first year) \$13,292 of new taxes for the real and personal property tax rolls. The tax exemption will be shared among the taxing entities as follows: City - \$4,211; County/State - \$4,049; and USD 259 - \$5,032.

Wichita State University Center for Economic Development and Business Research calculated a cost-benefit analysis indicating benefit-to-cost ratios, which are as follow:

City of Wichita	2.31 to one
Sedgwick County	1.76 to one
USD 259	0.41 to one
State of Kansas	18.85 to one

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Gale moved that the Public Hearing be closed; the Ordinance granting a 100% tax exemption on the identified real and personal property improvements for a five-year term, with 50% exemption of the real property only, for a second five-year term, subject to City Council review, be placed on first reading. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of Diversified Services, Inc., introduced and under the rules laid over.

Council Member Rogers momentarily absent.

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PERFEKTA, INC.

TAX EXEMPTION REQUEST – PERFEKTA, INC. (District VI)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-1238.

Perfekta, Inc., located at 480 East 21st Street in northeast Wichita, was locally formed in 1984. Since inception, Perfekta, Inc. has sustained consistent growth in manufacturing parts for the aerospace industry. Perfekta, Inc. has expanded its manufacturing capacity, to include acquisition of new manufacturing equipment and the acquisition of an existing building. Perfekta, Inc. is now requesting approval of an Economic Development Tax Exemption on acquisition of an existing building and manufacturing equipment, in conjunction with the expansion project.

Perfekta, Inc. is a custom manufacturer, supplying precision machined and sheet metal parts to global customers of various industries, including companies in Europe, the Pacific Rim, and the Middle East. Sales have been primarily generated through demands in the aerospace industry, however Perfekta also supplies parts to the medical and non-aerospace commercial markets. Perfekta's customer base has expanded from three local companies to more than 45 customers throughout the United States and worldwide. Perfekta's product mix has expanded from simple 2 & 3 axis machining to more complex multi axis configurations, bending and forming operations, and assemblies. Manufacturing capabilities include CNC milling, turning, prototyping, drilling, honing, welding, conventional milling, and assembling.

Perfekta currently employs 79 persons and plans to add at least 8 new jobs over the next five years by expanding operations through acquisition of new manufacturing equipment. In addition, Perfekta, Inc. has purchased and has made renovations to a formerly vacant 70,000 S.F. facility. The newly acquired building will more than double Perfekta's business that will allow improvement of its manufacturing capabilities as a contract manufacturer. Perfekta exports 96% of its business outside of Kansas.

Under the City's Business Incentives Policy, Perfekta, Inc. is eligible for the following:

TAX EXEMPTION ELIGIBILITY

ELIGIBLE %	INCENTIVE	EXPLANATION
19.5%	New Job Creation:	Perfekta will create at least 8 new jobs.
26.0%	Capital Improvements:	Perfekta will invest at least \$1,997,673.
45.5%	Sub Total Business - Incentive Eligibility (Maximum allowed is 50%)	
48%	Export Premium:	Perfekta exports 96% of its product outside Kansas.
48%	Sub Total – Export Premium (Maximum allowed is 50%)	
20%	Location Premium:	Perfekta is located in the central redevelopment area. (additional 20% allowed)
100%	TOTAL EXEMPTION ALLOWED UNDER BUSINESS INCENTIVE POLICY	

Perfekta, Inc. is eligible for a 100% tax exemption for a five-year term on real and personal property and a 50% exemption on real property for a second five-year term, subject to Council review. A notice of public hearing has been published. Perfekta, Inc. has agreed to comply with the conditions set forth in the 1999 revised Business Incentive Policy.

The estimated first year taxes on the proposed \$1,997,673 expansion would be \$36,191 on real property improvements, and \$11,412 on personal property, based on the 2000 mill levy. Using the allowable tax exemption of 100 percent, the City would be exempting (for the first year) \$47,603 of new taxes for the real and personal property tax rolls. The tax exemption will be shared among the taxing entities as follows: City - \$15,081; County/State - \$14,502; and USD 259 - \$18,020.

Wichita State University Center for Economic Development and Business Research calculated a cost-benefit analysis indicating benefit-to-cost ratios, which are as follow:

City of Wichita	1.74 to one
Sedgwick County	1.52 to one
USD 259	1.36 to one
State of Kansas	8.60 to one

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

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Motion --

Cole moved that Public Hearing be closed; the Ordinance, granting a 100% tax exemption on the identified real and personal property improvements for a five year term, with a 50% exemption on the real property only, for a second five-year term, subject to City Council review, be placed on first reading. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of Perfekta, Inc., introduced and under the rules laid over.

DECORATOR & CRAFT TAX EXEMPTION REQUEST – DECORATOR & CRAFT CORPORATION. (District II)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-1239.

Decorator & Craft Corporation, located at 428 South Zelta in southeast Wichita, was locally formed in 1969. Since inception, Decorator & Craft Corporation has sustained consistent growth in the craft business and as a result in sales, Decorator & Craft Corporation expanded its existing facility, which includes construction of additional warehouse space in the amount of \$350,000, and \$10,000 of manufacturing equipment to be purchased by an affiliated entity and leased to Decorator & Craft Corporation. Decorator & Craft Corporation is now requesting approval of an Economic Development Tax Exemption on new construction and manufacturing equipment, in conjunction with the expansion project.

Decorator & Craft Corporation was incorporated in Kansas in 1969 and initially operated as a restaurant. In 1974 it started in the craft business and since has expanded in 1977, 1985 and in 1987. Decorator & Craft Corporation is an importer and wholesaler of craft and gift products having added gift products to its line in 1996. Permanent showrooms are maintained in the Atlanta Merchandise Mart, Dallas Trade Mart, and Denver Merchandise Mart. The new additional space will be used for warehouse storage and for preparing booths and displays for trade shows. Decorator & Craft Corporation have constructed a 10,800 sq. ft. facility adjacent to its existing property.

Decorator & Craft Corporation currently employs 27 persons. The expansion project will create 5 new jobs over the next five years. Decorator & Craft Corporation exports 95% of its business outside of Kansas. Under the City's Business Incentives Policy, Decorator & Craft Corporation, and its affiliated, Sis and Sons, Inc. are eligible for the following:

TAX EXEMPTION ELIGIBILITY

ELIGIBLE %	INCENTIVE	EXPLANATION
15%	New Job Creation:	Decorator & Craft Corporation will create at least 5 new jobs.
6%	Capital Improvements:	Decorator & Craft Corporation will invest at least \$360,000
21%	Sub Total Business - Incentive Eligibility (Maximum allowed is 50%)	
47.5%	Export Premium:	Decorator & Craft Corporation exports 95% of its product outside Kansas
47.5%	Sub Total – Export Premium (Maximum allowed is 50%)	
68.5%	TOTAL EXEMPTION ALLOWED UNDER BUSINESS INCENTIVE POLICY	

Decorator & Craft Corporation and Sis and Sons, Inc. are eligible for a 68.5% tax exemption for a five-year term on real and personal property and a 34.25% exemption on real property for a second five-year term, subject to Council review. A notice of public hearing has been published. Decorator & Craft Corporation has agreed to comply with the conditions set forth in the 1999 revised Business Incentive Policy.

The estimated first year taxes on the proposed \$360,000 expansion would be \$5,941.66, on real property improvements, and \$145.49 on personal property, based on the 2000 mill levy. Using the allowable tax exemption of 68.5 percent, the City would be exempting (for the first year) \$6,087 of new taxes for the real and personal property tax rolls. The tax exemption would be shared among the taxing entities as follows; City - \$1,929; County/State - \$1,854; and USD 259 - \$2,304.

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Wichita State University Center for Economic Development and Business Research calculated a cost-benefit analysis indicating benefit-to-cost ratios which are as follow:

City of Wichita	3.24 to one
Sedgwick County	3.05 to one
USD 259	2.88 to one
State of Kansas	4.85 to one

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Pisciotta moved that the Public Hearing be closed; and the Ordinance, granting a 68.5% tax exemption on the identified real and personal property improvements for a five year term, with a 34.25% exemption on the real property for a second five-year term, subject to City Council review, be placed on first reading. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of Decorator and Craft Corporation, introduced and under the rules laid over.

ZTM, INC.

TAX EXEMPTION REQUEST – ZTM, INC.

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-1240.

ZTM, Inc., located at 4033 Navajo Lane in southeast Wichita, was locally formed in 1996. ZTM, Inc. is a manufacturer of large, complex precision machine parts and assemblies for the aerospace industry. ZTM, Inc. has experienced rapid growth in sales and production since its inception. As a result of continuous growth in sales, ZTM has expanded its manufacturing capacity, including acquisition of an existing facility and purchase of new manufacturing equipment. ZTM is now requesting approval of an Economic Development Tax Exemption on acquisition of the facility and manufacturing equipment, in conjunction with the expansion project.

ZTM mills close-tolerance component aircraft parts in support of Wichita's major aircraft manufacturers. ZTM also performs tooling and prototype work for the aircraft industry. ZTM utilizes sophisticated computer-controlled manufacturing equipment for their precise milling work. ZTM has assembled an impressive and efficient array of equipment, including 3-axis and 4-axis machines. The new equipment purchase includes a long-travel machine with 20-foot capability, and will allow ZTM to meet the industries most rigorous product specifications.

ZTM, Inc. currently employs 34 employees. The expansion project includes acquisition of an existing facility that consists of approximately 33,000 s.f. with an estimated cost of \$1,000,000 and new equipment with a cost of \$1,544,200. As a result of the expansion project, ZTM will create 12 new jobs over the next five years. ZTM exports 95% of all production of out Kansas via Boeing, Raytheon, and Cessna.

Under the City's Business Incentives Policy, ZTM, Inc. is eligible for the following:

TAX EXEMPTION ELIGIBILITY

ELIGIBLE %	INCENTIVE	EXPLANATION
25.5%	New Job Creation:	ZTM will create at least 12 new jobs.
28.5%	Capital Improvements:	ZTM will invest at least \$2,544,200.
54.0%	Sub Total Business - Incentive Eligibility (Maximum allowed is 50%)	
48.0%	Export Premium:	ZTM exports 96% of its product outside Kansas.
48.0%	Sub Total – Export Premium (Maximum allowed is 50%)	
98%	TOTAL EXEMPTION ALLOWED UNDER BUSINESS INCENTIVE POLICY	

ZTM is eligible for 98% tax exemption for a five-year term on new real and personal property and 49% exemption on real property for a second five-year term, subject to Council review. A notice of public hearing has been published. ZTM has agreed to comply with the conditions set forth in the Business Incentive Policy.

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The estimated first year taxes on the proposed \$2,544,200 expansion would be \$24,287 on real property improvements, and \$32,141 on personal property, based on the 2000 mill levy. Using the allowable tax exemption of 100 percent, the City would be exempting (for the first year) \$56,428 of new taxes for the real and personal property tax rolls. The tax exemption will be shared among the taxing entities as follows: City - \$17,877; County/State - \$17,190; and USD 259 - \$21,361.

Wichita State University Center for Economic Development and Business Research calculated a cost-benefit analysis indicating benefit-to-cost ratios, which are as follow:

City of Wichita	1.91 to one
Sedgwick County	1.43 to one
USD 259	2.47 to one
State of Kansas	3.92 to one

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- Lambke moved that Public Hearing be closed; and the Ordinance granting a 98% tax exemption on the identified real and personal property improvements for a five year term, and a 49% exemption on real property only, for a further five-year period, subject to City Council review, be placed on first reading. Motion carried 7 to 0.
-- carried

ORDINANCE

An Ordinance exempting property from ad valorem taxation for economic development purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of ZTM, Inc., introduced and under the rules laid over.

(Item No. 15)
HPC2000-11

HPC2000-11 – APPEAL OF DENIAL FOR DEMOLITION OF 520 NORTH BROADWAY. (District VI)

Marvin Krout Director of Planning reviewed the Item

Agenda Report No. 00-1241.

HPB/Staff Recommendation: Deny the application.

The Catholic Diocese is requesting approval of the demolition of 520 N. Broadway and the one storey pizza restaurant building at 516 N. Broadway for the purpose of constructing a “soup kitchen.” The pizza restaurant building is not a significant historic structure and may be demolished. The American Foursquare, gambrel roof, two storey brick building is a historic structure in its own right, and is within the “environs” (500 feet, parcel line to parcel line) of the Old Sedgwick County Courthouse and the Soldiers and Sailors Civil War Monument, 504 N. Main, which are listed in the National Register of Historic Places as well as the Register of Historic Kansas Places and the Wichita Register of Historic Places.

“Environs” means the historic property’s associated surroundings and the elements or conditions which serve to characterize a specific place, neighborhood, district, or area.

Under the Agreement between the Kansas State Historic Preservation Officer and the City of Wichita: Performance of project reviews under K.S.A. 1995 75-2724, the State has delegated responsibility to the City’s Historic Preservation Board to make the official determination that a “ proposed project will encroach upon, damage, or destroy any historic property included on the National Register of Historic Places or the Kansas Register of Historic Places or the environs of such property” (Item 2 of the Agreement executed October 26, 2000).

Staff provided an evaluation of the request citing the Standards and Guidelines for Environs Review 1998, adopted and published by the Kansas State Historic Preservation Office. The Standards and Guidelines for Environs Review specifically address the categories of demolition, parking and site modification by listing recommended and not recommended actions in the following manner:

1. Demolition:
 - Recommended: Retain the features that define the characteristics of a listed property’s environs when possible.
 - Not Recommended :Demolition of character-defining features or structure(s) with no plans for

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compatible replacement features or structures.

HPB Justification: The environs of each property will be recognized as a physical record of its time, place, and use. Changes to the environs that have acquired historic significance in their own right should be retained and preserved. The building at 520 N. Broadway, constructed in 1910-1911, has gained historic significance in its own right and as part of the environs of the Old Sedgwick County Courthouse. The structure, other than minor interior changes, maintains the original exterior materials and footprint.

2. New/Infill Construction:

Recommended: New construction should relate to the set-back, size, form, patterns, texture, materials and color of the features that characterize the environs of listed properties.

Not Recommended: New construction that is inconsistent and/or not compatible with the character of the environs of the listed property; new construction that destroys existing relationships within the environs of a listed property.

HPB Justification: The new construction is not compatible to replacement in regard to mass or scale of the existing structure. The replacement structure is a one-story facility that makes no attempt to replicate the multi-storied structures surrounding it. There has been an effort made to simulate exterior materials as to color and texture.

Demolition of this structure further allows the erosion of the environs of the Old Sedgwick County Courthouse.

At the November 13 Historic Preservation Board meeting, the Board determined that demolition of the home would substantially damage the environs of the two nearby landmarks, and they requested that the Design Review Committee meet with the architect and Catholic Diocese representative to discuss alternate site development plans.

A meeting was held November 28. Those present were: Brad Doeden, architect; Donna Rheault, Catholic Diocese; Marvin Krout, MAPD; Kurt Schroeder, OCI; Loren Dienes, Plans Review; Paul Cavanaugh, Stan Shelden, Randal Steiner, Claire Willenberg, and Kathy Morgan. The architect had drawn two new schemes for this project:

1. Re-arrange and move the proposed new dining hall south, so that the 4-square home on the north end of this site does not need to be demolished. The diocese could back out of purchasing the house altogether; they need to decide whether to close on December 20. One downside would be that the dining hall would be next to a vacant building, and that could turn into an "attractive nuisance". It would also reduce the number of on-site parking spaces originally planned for volunteers, which means they would need to rely more on using the existing church parking lot at the corner of Broadway and Central. For the most part, except for Saturday night mass, they do not expect that the church and dining hall will be in use and needing parking at the same time. In either case, the applicants will need to seek relief.

2. Incorporate the home into the design of the dining hall facility, using the ground floor for administrative offices and the 2nd floor for a caretaker's dwelling. All those present liked this design best. The downside is that it will cost more to rehabilitate the home and add to it than to demolish the home and build new. Discussion then moved to whether the City Council could provide funding assistance, and the possibility of applying to the state historic grant program.

The Design Review Committee then voted to approve either alternative that allows the structure to remain and thereby not create a significant negative impact (4-0). If the Diocese were to choose either one, they could proceed with permits (subject to dealing with the parking waiver) and will NOT have to come to the City Council to request approval to demolish the home.

Since meeting with the Design Review Committee the architect estimated the cost difference between the plan that would involve demolition and the plan that would incorporate the home into the design of the dining hall. The cost difference, included in the attached submission by the Catholic Diocese, was estimated by the architect at \$150,000 in construction, plus \$3300 per year in additional operating costs. While staff feels that some of these costs may be inflated, there clearly is a substantial difference in construction cost between the two alternatives. It is possible for the City to assist in bridging the gap in construction cost; however, the Council would need to weigh the value of providing this assistance against the opportunity costs of utilizing the funds to assist in other preservation efforts.

In addition, the architect makes the point in the submission that, while the dining hall has been designed for an initial occupancy of 250-300 diners, the demand could easily increase to 450-500, and the option to incorporate the home into the design reduces the expansion potential for this facility.

The City of Wichita has the responsibility of implementing state law K.S.A. 1995 Supp. 75-2724. In order to approve the request of the Catholic Diocese, the City Council needs to find that there is no "feasible and prudent

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alternative" to the demolition of 520 North Broadway. If the City finds that no feasible and prudent alternative exists, the State Historic Preservation Office must be given five days notice of the City's determination, by certified mail. Additionally, "any person aggrieved by the determination of a governing body may appeal such determination" to the district court.

Discussion was had and consensus was that, if possible, arrangements would be made to move the building; the greater need being feeding the homeless.

Mayor Knight

Mayor Knight inquired whether anyone wished to be heard.

Donna Roe

Donna Roe, Catholic Diocese, said the Diocese has been unable to find a more suitable location. The name of the soup kitchen will be "The Lords Diner." Donna Roe also requested support of the project and said the Diocese will work with the City to see if there is an option to demolition of the house.

Motion --

Cole moved that the Certificate of Appropriateness be approved; finding that there is no feasible alternative; requested that the City take steps, within a timeframe to be established by City and Diocese, to get estimates for demolition and removal; an organization be sought to assist in the removal and rehabilitation of the home; and consideration be given to use of some of the Historic Preservation Funds, if necessary. Motion carried 7 to 0.

-- carried

OLD TOWN CINEMA

OLD TOWN CINEMA DEVELOPMENT AGREEMENT. (Subject to Removal)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-1242.

On August 8, 2000, the City Council designated Bill Warren, George Laham and David Burk as Preferred Developer for the Old Town Cinema Project. The trio has formed a development company called Cinema Old Town, L.L.C. to carryout the Project. The City Council action gave the Preferred Developer 120 days to negotiate the terms of a development agreement with the City. The attached Development Agreement is the result of that negotiation.

The proposed Old Town Cinema Project is composed of four principal elements, carrying a total combined estimated cost of \$20.6 million, detailed as follows:

Developer-financed portion: \$11.3 million	-- 6-screen, 1250-seat Warren Theater
	-- 55,000 sq. ft. retail/office space
City-financed portion: \$ 9.3 million	-- 390-car, two-level parking deck
	-- Public plaza
	-- Street improvements

Under the terms of the proposed Development Agreement, the Developer will be responsible for acquiring all land upon which the privately-owned improvements will be constructed, including the theater and the retail/office buildings. The City will acquire the land upon which the parking deck and public plaza will be located. The City will vacate a portion of Moore Street, south of Third, which will serve as part of the theater site, and will lease City-owned property located at Second and Mead to the Developer for 50 years for \$1.00 to serve as part of the site for the retail/office development. The Developer will be responsible for design and construction of all elements of the proposed project, as detailed above, subject to City approvals.

The two-level parking deck will include approximately 14,000 sq. ft. of retail shell space on the ground level, facing the public plaza. This space will be owned by the City, as part of the parking deck, and leased to the Developer. The parking retail space lease, which is incorporated by reference in the Development Agreement, has an initial term of five years at the rate of \$1.00 per year, with one five-year renewal option at the rate of \$2.50 per sq. ft. per year.

The City Council has previously approved the establishment of the Old Town Cinema Redevelopment District in order to allow the use of tax increment financing to finance a portion of the public improvements included in the project. Under the terms of the Development Agreement, the City will be required to extend the Old Town Zoning Overlay District to include the project area. The zoning overlay will allow the Developer to satisfy its off-street parking requirement by participating in the Old Town Parking District and paying monthly parking fees to the City, based on the off-street parking requirements specified in the zoning overlay.

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The City's obligation to proceed with the Old Town Cinema Project is conditioned on the City's ability to acquire its portions of the project site for an amount not-to-exceed \$1,534,292. This amount is based on a price of \$7.70 per sq. ft. for land currently owned by D.D. Realty, and \$20.00 per sq. ft. for property owned by Raytheon Aircraft Co. Negotiations with Raytheon are on-going.

Funding for the City's financial obligations under the Development Agreement was approved by the City Council on November 28, 2000 as part of the 2001-2010 Capital Improvement Program.

The proposed Development Agreement, Parking Structure Retail Lease and SE Parcel Ground Lease have been prepared by Developer's Counsel and approved as to form by the City Attorney.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard.

David Burk David Burk urged approval of the project.

Motion -- Cole moved the Development Agreement, subject to minor modifications approved by the City Representative and City Attorney, be approved.

Council Member Lambke Council Member Lambke said he could not support a project requiring 45 percent from the taxpayers.

-- carried Motion carried 6 to 1. (Lambke, no)

EMP. UNION

EMPLOYEE UNION CONTRACTS AND SALARY ORDINANCES.

Mark Manning Senior Budget Analyst, Department of Finance, reviewed the Item.

Agenda Report No. 00-1243.

Contracts for the next three years, 2001-2003, have been negotiated with the following employee unions and are presented to the governing body for approval:

Fraternal Order of Police (FOP)
International Association of Fire Fighters (IAFF)
Service Employees' International Union (SEIU)
Teamsters Union (Transit)
Teamsters Union (Airport Safety)

The revised ordinance implements the compensation agreed to in these five contracts, as well as the compensation for all other City employees, not represented by a union. The ordinances further addresses maintenance of internal pay equity among various positions.

An analysis of the non-represented ranges was completed to determine appropriate compensation for ranges for a three- year period. This analysis was completed to address compression problems and equity issues. The salary ordinances submitted include a three-year schedule consistent with the method used to deal with bargaining units' three- year plan. While the ranges proposed indicate an increase for classifications, all increases will be based on merit and annual general pay adjustments determined by the City Manager.

Review of position classifications is an on-going process within the City's organization. Revisions in job classifications are often required because of changing services, regulatory requirements and organizational changes. When this occurs, job descriptions and pay classifications are updated and modified accordingly.

The total cost associated with contract negotiations and salary/wage adjustments for non-represented employees will be financed within the adopted budget, as approved by the City Council.

Mayor Knight Mayor Knight inquired if anyone wished to be heard.

Harold Schlectweg Harold Schlectweg urged approval of the Contracts and Ordinances.

Motion -- Knight moved that the Contracts and Declaration of Emergency be approved; the necessary signatures be authorized; and the Ordinances be adopted on first reading. Motion carried 7 to 0.

-- carried

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ORDINANCE NO. 44-820

An Ordinance establishing position classifications for employees of the City of Wichita and prescribing pay rates by reference to position classifications in the schedule of pay ranges repealing Ordinance No. 44-681. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

ORDINANCE NO. 44-821

An Ordinance providing for a uniform schedule of standard pay ranges for all employees of the City of Wichita, repealing Ordinance No. 44-453. Knight moved that the Ordinance be placed on its passage and adopted on the date of its introduction, all in accordance with K.S.A. 12-3001. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

JABARA AIRPORT

PREFERRED DEVELOPER – JABARA AIRPORT HANGAR. (District II)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 00-1244.

The City has received a request from Wichita Air Services, Inc. and Jack P. DeBoer for the development of an airplane hangar at Jabara Airport to be leased to Wichita Air Services, Inc. Staff has negotiated a Letter of Intent with DeBoer to serve as the preferred developer for this project.

Wichita Air Services, Inc. (WASI) is a business owned by Jack DeBoer which restores and refurbishes vintage aircraft. Currently located in part of an older hangar at Wichita Mid-Continent Airport, WASI is wanting to expand its aircraft restoration operations and provide space to store corporate aircraft. WASI has been unable to locate suitable existing space at either Mid-Continent or Jabara Airport for lease and has requested the City to develop an 18,000 sq. ft. hangar at Jabara Airport, on a "build to suit" basis. To facilitate the timely construction of the hangar at an affordable cost, WASI has also requested to serve as preferred developer and contract for the construction work.

Staff has prepared a Letter of Intent outlining the responsibilities of the City and WASI in the development and leasing of the new hangar, and to serve as a guide for a more detailed development agreement. Under the terms of the Letter of Intent, the City will lease approximately 50,000 sq. ft. of land located at Jabara Airport in the area designated in the Airport's Master Plan for corporate hangars. WASI will construct the 18,000 sq. ft. hangar and associated improvements on this site, including a ramp, parking, landscaping and utility extensions. The Airport Authority will lease the project site to the City, pursuant to its established ground lease procedures, and will construct an access road and utility extensions to the site. The City will lease the completed hangar to WASI and DeBoer, subject to a 15-year lease.

The cost of the hangar and associated improvements will be financed by the City and fully amortized over the term of the lease from payments received from WASI. A proportional share of the cost of the road and utilities paid by the Airport Authority will be assessed to the leased project site. Assessment payments will be spread over the 15-year term of the WASI lease and paid from lease payments.

The cost of building the hangar and associated improvements will be financed with general obligation bonds to be paid from project lease revenue. Based on an estimated total development cost of \$1 million, the lease rate for the hangar will be \$6.50 per sq. ft., and \$0.12 per sq. ft. for land outside the hangar's footprint. If actual costs differ significantly from estimates, the hangar lease rate will be adjusted accordingly.

The Law Department has approved the form of the Letter of Intent and will prepare the hangar development agreement for Council approval.

It is recommended that the City Council designate Wichita Air Services Inc. and Jack DeBoer as preferred developer of a corporate hangar at Jabara Airport, approve the Letter of Intent and authorize the necessary signature.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Council Member Martz momentarily absent.

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Motion --

Pisciotte moved that Wichita Air Services, Inc., and Jack DeBoer be designated as preferred developer of a corporate hangar at Jabara Airport; the Letter of Intent be approved and the necessary signatures be authorized, with the understanding that the project will be reviewed by the Airport Advisory Board at the earliest opportunity; and a report regarding the project be approved. Motion carried 7 to 0.

-- carried

CITY COUNCIL AGENDA

MUN. COURT JUDGE. APPOINTMENT OF MUNICIPAL COURT JUDGE.

Agenda Report 00-1246.

A vacancy will occur in January, 2001 in the office of Municipal Court Judge because of the election of Judge Harold Flaigle to a State District Judge position. Pursuant to Charter Ordinance No. 171, the City Council appointed a Municipal Court Judge Nominating Commission to review the interested candidates and nominate three persons to the City Council to fill the unexpired term of office.

The Municipal Court Judge Nominating Committee has nominated three persons for consideration by the City Council: Jennifer Jones, Ruth Ritthaler, and Gregory Keith. Pursuant to Charter Ordinance No. 171, the City Council may appoint one of the three nominees as Municipal Court Judge to fill the unexpired term of office.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Rogers moved that the City Council appoint Jennifer Jones as Wichita Municipal Court Judge to fill an unexpired term, with such appointment to be effective as of January 9, 2001, and to expire on the third Monday of April 2001. Motion carried 7 to 0.

-- carried

GRANTS COMMITTEE GRANTS REVIEW COMMITTEE APPOINTMENTS.

Agenda Report No. 00-1247.

On March 28, 2000, the City Council approved the change in composition of the Grants Review Committee which reviews and makes recommendations on grant funding. The established Grants Review Committee is comprised of twelve (12) members from the following areas: 4-District Advisory Board; 1-United Way; 1-Sedgwick County; 1-USD #259; 2-Wichita Independent Neighborhood Association; 1-Wichita State University; 1-large business and 1-small business. Outside of the business representatives, each of the organizations listed provided the names of their representatives.

The Grants Review Committee reviews the funding applications, holds public hearings, receives/reviews applications for funding, and makes funding recommendations to the City Council.

Small and large business nominations were solicited. The City Council is requested to select one small and one large business representative and approve the appointments to the Grants Review Committee. A list of the of the proposed Grants Review Committee members and two small and large business nominees are attached. In the event one of the large business nominees is unable to serve, it is requested the City Council authorize the City Manager to appoint a replacement.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Pisciotte moved that Cathy Feemster be appointed as small business representative and Thomas Webb be appointed as large business representative and the appointments be approved. Motion carried 7 to 0.

-- carried

APPOINTMENTS BOARD APPOINTMENTS.

There were no appointments considered.

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CONSENT AGENDA

Knight moved that the Consent Agenda, including Addendum Item 32i, except Item 46, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED DECEMBER 18, 2000.

Bids were opened December 15, 2000, pursuant to advertisements published on:

Intersection improvements at Woodlawn and Mainsgate - Woodlawn, south of 29th Street North. (472-83221/706798/201254) Traffic to be maintained during construction using flagpersons and barricades. (District II)

APAC – Kansas Inc. - \$214,503.96 (Base bid)
\$ 12,234.10 (Alternate 2)

Landscaping in connection with paving Harry; Webb Road. to Greenwich Road., Phase 2 - Harry Street. from Webb Road to Greenwich Road. (472-83091/706771 /209232) Traffic to be maintained during construction using flagpersons and barricades. (District II); AND Landscaping the intersection of Meridian and McCormick - Intersection of Meridian and McCormick. (472-83265/706802 /208257) Traffic to be maintained during construction using flagpersons and barricades. (District IV)

Natural Tree Source - \$40,565.00 (Total aggregate bid)

2000 Contract maintenance Old Town street and parking repair (Mosley, First Street to Second Street and Rock Island, Douglas to First. (00_792341_1 /792341/435311) Traffic to be maintained during construction using flagpersons and barricades. (District VI)

Cornejo & Sons Construction - \$299,783.00 (Engineer's estimate)

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

WATER DEPARTMENT/SEWAGE TREATMENT DIVISION: Masonry Repair. (184143)

McClure Restoration - \$9,850.00 (Total bid)

WATER DEPARTMENT/SEWAGE TREATMENT DIVISION: Sigma Auto and All-Weather Samplers. (184564)

Fluid Equipment Co., Inc. - \$ 8,072.00 (Group 1 total)
\$12,070.00 (Group 2 total)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Exterior Repairs to Osage Recreation Center. 130823.

Robel Construction – \$ 7,761.00 (Base bid)
\$12,140.00 (Option 1/lump sum)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Stairwell Painting at City Hall. (792310)

Carrol & Sons. - \$17,695.00 (Base bid)
\$10,552.00 (Option 1/lump sum)

PARK DEPARTMENT/PARK RECREATION DIVISION: Swimming Pool Improvements. (785013)

Greer's Sandblasting & Protective Coating - \$67,650.00 (Base bid)
\$13,810.00 (Option 1/lump sum)

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HOUSING SERVICES DEPARTMENT/HOUSING AUTHORITY DIVISION: Rehabilitation of Fire-damaged House. (097027)

Arambula Construction Co. - \$48,000.00 (Total bid)

PUBLIC WORKS DIVISION/FLEET & BUILDINGS DIVISION: Evergreen Painting and Beam Repair. (130591)

Oflynn Contracting Inc./dba Midwest Paint - \$17,800.00 (Group 1/lump sum)

Robl Construction Inc. - \$47,500.00 (Group 2/lump sum)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Street Sweepers. (130807)

Key Equipment & Supply Co. - \$213,276.40 (Base Bid)

<\$ 64,500.00> (Less trade in)

\$ 37,950.00 (Option 3/unit cost)

\$ 2,250.00 (Option 5/unit cost)

AIRPORT OPERATIONS/DIVISION: 3000 Lb. Electric Forklift. 190017)

United Rentals - \$22,060.22 (Bid total)

PUBLIC WORKS DEPARTMENT/FLOOD CONTROL DIVISION: Sewer Cleaners Mounted on Cab and Chassis. (133116)

Utility Maintenance Contractors LLC – \$98,800.00 (Group 1/each unit cost)

\$ 2,210.00 (Group 1/option 1/unit cost)

\$ 2,120.00 (Group 1/option 2/unit cost)

\$1,280.00 (Group 1/option 3/unit cost)

\$2,810.00 (Group 1/option 4/unit cost)

\$ 940.00 (Group 1/Otion 5/unit cost)

\$11,736.00 (Group 1/option 6/unit cost)

\$88,800.00 (Group 2/alternate bid/unit cost)

\$ 1,280.00 (Group 2/option1/unit cost)

\$2,810.00 (Group 2/option 2/unit cost)

\$ 940.00 (Group 2/option 3/unit cost)

\$11,736.00 (Group 2/option 4/unit cost)

Key Equipment & Supply Co. - \$165,000.00 (Group 3A/ Unit Cost)

\$ 3,000.00 (Group 3/Option 1-unit cost)

\$ 1,200.00 (Group 3/Option 2-unit cost)

\$ 200.00 (Group 3/Option 3-unit cost)

\$ 911.11 (Group 3/Option 4-unit cost)

\$ 2,475.00 (Group 3/Option 5-unit cost)

WATER DEPARTMENT/SEWAGE TREATMENT DIVISION: Impregnated Activated Carbon. (184028)

Halls Culligan Water - \$29,700.00 (Total cost)

PUBLIC WORKS/WATER DISTRIBUTION DIVISION: Cab and Chassis with Various Bodies. (183301)

Kansas Truck Center - \$55,419.00 (Group 1/unit cost)

Rusty Eck Ford Inc. - \$53,195.50 (Group 2A/unit cost)

\$ 251.00 (Group 2/option 1/unit cost)

\$ 614.00 (Group 2/option 2/unit cost)

\$ 574.00 (Group 2/option 3/unit cost)

\$39,201.00 (Group 5/base bid unit cost)

\$ 251.00 (Group 5/option 1/unit cost)

\$ 2,011.00 (Group 5/option 2/unit cost)

\$ 684.00 (Group 5/option 3/unit cost)

\$47,192.00 (Group 7/unit cost)

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\$ 275.00 (Group 7/option 1/unit cost)
\$ 1,025.00 (Group 7/Option 2/unit cost)

Roberts Truck Center – \$76,145.00 (Group 3A/alternate bid/unit cost)
\$ 252.00 (Group 4/Option 1/unit cost)
\$ 137.00 (Group 4/Option 2/unit cost)
\$ 450.00 (Group 4/Option 3/unit cost)
\$ 425.00 (Group 4/Option 4/unit cost)
\$12,590.00 (Group 4/Option 5/unit cost)
\$18,674.00 (Group 4/Option 6/unit cost)
\$19,995.00 (Group 4A/alternate bid/unit cost)
\$ 252.00 (Group 8/option 1/unit cost)
\$ 137.00 (Group 8/option 2/unit cost)
\$ 450.00 (Group 8/option 3/unit cost)
\$ 425.00 (Group 8/option 4/unit cost)
\$62,095.00 (Group 8A/alternate bid/unit cost)

Mel Hambelton Ford Inc. - \$32,830.00 (Group 6/unit cost)

US Filter/Stranco - \$7,640.00 – Group 1/unit cost)

Dan Hattan Chevrolet Inc. - \$13,000.00 (Group 2/unit cost)
\$ 1,075.00 (Group 2/option 1/unit cost)
\$ 100.00 (Group 2/option 2/unit cost)
Standard (Group 2/option 3/unit cost)
\$ 669.00 (Group 2/option 4/unit cost)
Standard (Group 2/option 5/unit cost)
\$ 180.00 (Group 2/option 6/unit cost)
Standard (Group 2/option 7/unit cost)
\$ 2,370.00 (Group 2/option 8/unit cost)
\$ 121.00 (Group 2/option 9/unit cost)

Rusty Eck Ford Inc. - \$20,772.00 (Group 3/unit cost)

Mel Hambelton Ford Inc. - \$21,000.00 (Group 1/unit cost)
\$ 700.00 (Group 1/option 1/unit cost)
Standard (Group 1/option 2/unit cost)
Standard (Group 1/option 3/unit cost)
Standard (Group 1/option 4/unit cost)
Standard (Group 1/option 5/unit cost)
\$ 125.00 (Group 1/option 6/unit cost)
\$ 200.00 (Group 1/option 7/unit cost)
\$ 3,200.00 (Group 1/option 8/unit cost)

Davis Moore Chevrolet - \$11,183.29 (Group 4/unit cost)
\$ 204.45 (Group 4/option 1/unit cost)
\$ 130.50 (Group 4/option 2/unit cost)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS: Front Deck Mowers. (132225)

Price Brothers Equipment Co. -\$10,790.00 (Group 1/unit cost)
\$10,790.00 (Group 2/unit cost)
\$ 1,792.00 (Group 2/option 1/unit cost)
\$ 219.00 (Group 2/option 2/unit cost)
<\$ 160.00> (Group 2/option 3A-60" discharge deduct)
\$ 437.00 (Group 2/option 3B/72" discharge add)

PARK DEPARTMENT/MAINTENANCE DIVISION: Utility Vehicles. (172015)

Outdoor Equipment Co. - \$5,409.00 (Group 1/unit cost)

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PARK DEPARTMENT/GOLF COURSE DIVISION: Utility Vehicles (170241)

Kansas Mini Power Vehicles Inc. - \$14,625.00 (Group 2/unit cost)

WATER DEPARTMENT/PRODUCTION & PUMPING DIVISION: Residual Analyzer. (183533)

Ray Lindsey Company - \$10,340.00 (Group 1/bid total)

WATER DEPARTMENT/SEWER MAINTENANCE DIVISION: Panasonic Toughbooks. (184804)

Dotcom - \$7,516.00 (Group 1/bid total)

PUBLIC WORKS DEPARTMENT/WATER DISTRIBUTION DIVISION: Trailers. (183327)

Sellers Tractor Co., Inc. - \$0,330.00 (Group 2/unit cost)
\$ 277.00 (Group 2/option 1/unit cost)

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Trailers. (130807)

Sanders Trailer Service Inc. - \$16,250.00 (Group 1A/alternate bid)

WATER DEPARTMENT/PRODUCTION & PUMPING DIVISION: Ion Chromatograph Autosampler. (183632)

Dionex Corp - \$19,600.00 (Group 1/base bid)
\$ 8,000.00 (Group 1/option 1/unit cost)

PUBLIC WORKS/FLEET & BUILDINGS DIVISION: Door and Hardware Replacement-Century II. (792331)

Wickham Industries Inc. - \$62,137.00 (Group 1/base bid)
\$ 7,767.00 (Group 1/add alternate/1 pr/unit cost)
\$ 640.00 (Group 1/add alternate/ 1LS/unit cost)

WATER DEPARTMENT/SEWAGE TREATMENT DIVISION: Sewage Treatment Plant No. 2 Improvements. (624051)

Cas Construction Inc. - \$8,229,000.00 (Total bid)

FIRE DEPARTMENT/FIRE MAINTENANCE DIVISION: Fire Hose. (070136)

Conrad Fire Equipment Inc. - \$20,187.24 (Total bid)

PUBLIC WORKS DEPARTMENT/STORM WATER MANAGEMENT DIVISION: Storm Sewer Ext., 14035 Spring Valley. (660459)

Wild Cat Construction Co., Inc. - \$34,545.00 (Total bid)

VARIOUS DEPARTMENTS/DIVISION: Roll Tissue, Paper Towels and Miscellaneous Paper Products. (130849)

Southwest Paper Co. Inc. - \$12.67* (Group 1/cost per case)
\$27.41* (Group 2/cost per case)
\$11.12* (Group 3/cost per case)

Massco Inc. - \$45.21*** (Group 4/item 1/cost per case)
\$34.79*** (Group 4/item 2/cost per case)

Southwest Paper Co., Inc. - \$36.10* (Group 5/cost per case)

Huber Inc. - \$44.75** (Group 6/cost per case)

Massco Inc. - \$35.00*** (Group 7/cost per case)

Southwest Paper Co. Inc. - \$62.35* (Group 8/item 1/cost per case)

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\$32.25* (Group 8/item 2/cost per case)
\$75.25* (Group 8/item 3/cost per case)
\$20.52* (Group 9/cost per case)

Massco Inc. - \$18.51*** (Group 10/item 1/cost per case)

Southwest Paper Co., Inc. \$16.13* (Group 11/cost per case)
\$59.36* (Group 12/item 1/cost per case)
\$36.91* (Group 12/item 2/cost per case)

*2%-10 Billing terms

**Net 20

***Net 30

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

CMB LICENSES

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
Jerry M. Gallegos	Sim Park Golf Course*	2020 West Murdock
Cheryl Gehlen	Annex Lounge	6305 East Harry
Guadalupe S. Cordova	Chico's Restaurant*	3949 West Douglas
Clarence O. Wiegand	Dog House Tavern	2113 North Broadway
Gary R. Batenhorst	Godfather's Pizza #17019*	2106 Amidon
Gary R. Batenhorst	Godfather's Pizza #17020*	1675 South Rock Road
Stan Shauer	Tex Consolver Municipal Golf Course*	1921 South Tyler Road
Juanaria C. Jimenez	El Chile Verde Mexican Café*	233 South West Street
		<u>(Consumption off Premises)</u>
Chuong Le	Le Enterprises, LLC dba Broadway Supermarket	1336 North Broadway

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion -- carried

Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

PLANS AND SPECS.

SUBDIVISION PLANS AND SPECIFICATIONS.

There were no sub-division plans and specifications submitted.

PRELIMINARY ESTS.

PRELIMINARY ESTIMATES:

- a) 2001 condemned sidewalks and wheelchair ramps - Phase I - at various locations. (01_132100_1 /132100/) Traffic to be maintained during construction using flagpersons and barricades. - \$161,580
- b) 2001 utility cut repair of streets, driveways and sidewalks - at various locations. (01_132035/132035/) Traffic to be maintained during construction using flagpersons and barricades. - \$1,200,000
- c) Water Main Replacement in the Riverside Neighborhood - generally between the Arkansas River and the River from Pine to 18th Street. 448-89413/636094/769674. Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$2,058,200
- d) NE Transmission Line Phase 2C - south of 21st St. No., east of Rock Road. (448-89467/632542/750215) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$1,749,940

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- e) Reconstruct a portion of Sanitary Sewer #22 from STP #1 to north of Pawnee - east of Hydraulic, south of Pawnee. (468-82834/623322/658324) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$995,445
- f) 2001-01 wheelchair ramp and sidewalk - Phase 3 - north of 47th Street South and east of 135th Street West. (472-83270/706806/200280) Traffic to be maintained during construction using flagpersons and barricades. (District All) - \$345,800
- g) Lateral 4, Main 2, Cowskin Interceptor Sewer, Auburn Hills 12th Addition - west of 135th Street West, south of Maple. (468-83178/743859/480547) Does not affect existing traffic. (District V) - \$286,000
- h) Water distribution system in Fairview from 33rd Street North to 34th Street North to serve Jones Park Addition - east of Arkansas, south of 37th Street North. (448-89451/734957/470627) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$30,160
- i) Amended - 1999 Park CIP- Cessna Park. (472-2969/785865/399118). Traffic to be maintained during construction using flagpersons and barricades. (District V). Total Estimated Cost- \$148,000
- j) Amended - Northeast Baseball/Soccer Complex Parking Lot. (472-83139/785000/399131). Traffic to be maintained during construction using flagpersons and barricades. (District II) . Total Estimated Cost- \$408,000

Motion -- carried

Knight moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

STATEMENTS OF COST STATEMENTS OF COST:

- a) Improving Bebe and Irving from the north line of Walker to the west line of Anna to serve West 54 Industrial Addition and Pearl May Jones Addition, (south of Kellogg, west of West Street). Total Cost - \$197,495.69 (plus idle fund interest - \$8,568.31, plus temporary note interest - \$5,500.00). Financing to be issued at this time - \$211,564.00. (765594/472-83129/490-705).
- b) Improving Holyoke from the north line of 26th Street North to the south line of 27th Street North to serve College Crest Addition, (south of 29th Street North, east of Hillside). Total Cost - \$69,236.96 (plus idle fund interest - \$3,538.04, plus temporary note interest - \$1,925.00). Financing to be issued at this time - \$74,700.00. (765590/472-83121/490-701).
- c) Improving Barbara from the east line of Seneca to the west line of Osage to serve F. A. Brown's Addition; Heersche's Replat; Taton Addition; Gold's Addition; Sedona Addition and Palin Addition, (south of Pawnee, west of Seneca). Total Cost - \$141,825.59 (plus idle fund interest - \$5,747.85, plus temporary note interest - \$4,094.56). Financing to be issued at this time - \$151,668.00. (765576/472-83086/490-687).
- d) Improving Walnut from the north line of Barbara to 458 feet north of Barbara to serve F. A. Brown's Addition, (south of Pawnee, west of Seneca). Total Cost - \$55,727.17 (plus idle fund interest - \$2,642.83, plus temporary note interest - \$1,650.00). Financing to be issued at this time - \$60,020.00. (765575/472-83085/490-686).
- e) Improving Lateral 8, Cowskin Interceptor Sewer to serve Maple Dunes Addition, (north of Maple, east of 135th Street West). Total Cost - \$29,790.97 (plus idle fund interest - \$591.57, plus temporary note interest - \$1,334.46). Financing to be issued at this time - \$31,717.00. (743824/468-82716/480-512).
- f) Improving Lateral 22, Cowskin Interceptor to serve Highland Springs 2nd Addition, (south of Central, west of 135th Street West). Total Cost - \$137,275.51 (plus idle fund interest - \$4,174.99, plus temporary note interest - \$3,712.50). Financing to be issued at this time - \$145,163.00. (743839/468-83027/480-527).
- g) Improving Lateral 451, Southwest Interceptor Sewer to serve West Ridge Estates Addition, (south of 29th Street North, east of 119th Street West). Total Cost - \$141,170.01 (plus idle fund interest - \$4,707.99, plus temporary note interest - \$3,850.00). Financing to be issued at this time - \$149,728.00. (743840/468-83102/480-528).
- h) Improving Lateral 461, Southwest Interceptor Sewer to serve Evergreen and Evergreen 2nd Additions, (north of 21st Street North, west of Maize Road). Total Cost - \$59,014.47 (plus idle fund interest - \$1,079.53, plus temporary note interest - \$1,650.00). Financing to be issued at this time - \$61,744.00. (743850/468-83147/480-538).

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- i) Improving Lateral 89, Main 1, Southwest Interceptor Sewer to serve Cedarvale Acres Addition, (north of 47th Street North, east of Washington). Total Cost - \$18,959.61 (plus idle fund interest - \$382.39, plus temporary note interest - \$550.00). Financing to be issued at this time - \$19,892.00. (743827/468-83059/480-515).
- j) Improving Lateral 137, Main 4, Sanitary Sewer No. 23 to serve Walnut Grove Addition, (north of 33rd Street North, west of Arkansas). Total Cost - \$11,000.00 (plus idle fund interest - \$508.50, plus temporary note interest - \$302.50). Financing to be issued at this time - \$11,811.00. (743814/468-83022/480-502).
- k) Improving Lateral 383, Southwest Interceptor Sewer to serve Forest Lakes West Addition, (north of 29th of Tyler Road). Total Cost - \$33,907.81 (plus idle fund interest - \$575.69, plus temporary note interest - \$962.50). Financing to be issued at this time - \$35,446.00. (743854/468-82768/480-542).
- l) Improving Lateral 432, Southwest Interceptor Sewer to serve Aberdeen 3rd Addition; Evergreen Addition; and Evergreen 2nd Addition, (north of 21st Street North, east of 119th Street West). Total Cost - \$415,485.06 (plus idle fund interest - \$14,690.44, plus temporary note interest - \$11,137.50). Financing to be issued at this time - \$441,313.00. (743833/468-83004/480-521).
- m) Improving Storm Water Sewer No. 531 to serve Wilson Farms 2nd Addition, (south of 21st Street North, west of Webb Road). Total Cost - \$118,862.98 (plus idle fund interest - \$4,954.02, plus temporary note interest - \$3,330.00). Financing to be issued at this time - \$127,117.00. (751285/468-83058/485-176).
- n) Improving Storm Water Sewer No. 534 to serve Great Plains Business Park 2nd Addition, (south of 37th Street North, east of Oliver). Total Cost - \$115,258.72 (plus idle fund interest - \$3,104.78, plus temporary note interest - \$3,162.50). Financing to be issued at this time - \$121,526.00. (751284/468-83068/485-175).
- o) Improving Water Distribution System to serve Regency Lakes Addition, (north of 21st Street North, west of Greenwich Road). Total Cost - \$74,217.84 (plus idle fund interest - \$3,403.66, plus temporary note interest - \$2,007.50). Financing to be issued at this time - \$79,629.00. (734955/448-89132/470-625).
- p) Improving Water Distribution System to serve Balthrop Addition, (north of Central, east of Greenwich Road). Total Cost - \$44,128.10 (plus idle fund interest - \$929.90, plus temporary note interest - \$1,100.00). Financing to be issued at this time - \$46,158.00. (734976/448-89335/470-646).
- q) Improving Water Distribution System to serve Maple Hill, Maple Hill Second, Third, Third, Fourth and Fifth Additions, (south of Maple, west of 135th Street West). Total Cost - \$220,589.01 (plus idle fund interest - \$5,253.43, plus temporary note interest - \$10,274.56). Financing to be issued at this time - \$236,117.00. (734930/448-89376/470-600).
- r) Improving Lateral 4, Main 2, Cowskin Interceptor Sewer to serve Auburn Hills 10th Addition, (south of Maple, east of 135th Street North). Total Cost - \$13,832.23 (plus idle fund interest - \$385.27, plus temporary note interest - \$412.5). Financing to be issued at this time - \$14,630.00. (743842/468-83113/480-530).
- s) Improving Lateral 100, Sanitary Sewer No. 23 to serve Great Plains Business Park 2nd Addition, (south of 37th Street North, east of Oliver). Total Cost - \$109,858.00 (plus idle fund interest - \$2,746.36, plus temporary note interest - \$3,906.42). Financing to be issued at this time - \$109,858.00. (743828/468-83067/480-516).
- t) Improving Lateral 446, Southwest Interceptor Sewer to serve Airport Industrial Park Addition, (south of Harry, west of Hoover). Total Cost - \$18,589.09 (plus idle fund interest - \$751.91, plus temporary note interest - \$495.00). Financing to be issued at this time - \$19,836.00. (743836/468-83080/480-524).
- u) Improving Lateral 445, Southwest Interceptor Sewer to serve Oak Cliff Estates Addition, (north of Maple, west of Maize Road). Total Cost - \$16,148.56 (plus idle fund interest - \$608.44, plus temporary note interest - \$440.00). Financing to be issued at this time - \$17,197.00. (743836/468-83081/480-526).
- v) Improving Lateral 421, Southwest Interceptor Sewer to serve Huntington Place 6th Addition, (south of 13th Street North, west of Maize Road). Total Cost - \$8,617.17 (plus idle fund interest - \$661.83, plus temporary note interest - \$0.00). Financing to be issued at this time - \$9,279.00. (743800/468-82942 /480-488).
- w) Improving Lateral 79, Main 22, War Industries Sewer to serve Wilson Farms 2nd Addition, (south of 21st of Rock Road). Total Cost - \$123,322.43 (plus idle fund interest - \$2,278.29, plus temporary note interest - \$5,577.28). Financing to be issued at this time - \$131,178.00. (743829/468-83057/480-517).

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- x) Improving Lateral 138, War Industries Sewer to serve Regency Lakes Addition, (north of 21st Street North, west of Greenwich Road). Total Cost - \$112,853.49 (plus idle fund interest - \$2,155.11, plus temporary note interest - \$5,200.40). Financing to be issued at this time - \$120,209.00. (743830/468-82696/480-518).
- y) Improving Lateral 442, Southwest Interceptor Sewer to serve Angel Acres Addition, (north of 47th Street South, west of Meridian). Total Cost - \$176,793.55 (plus idle fund interest - \$7,315.95, plus temporary note interest - \$4,812.50). Financing to be issued at this time - \$188,922.00. (743822/468-83044 /480-510).
- z) Improving Lateral 32, Main 1, Westlink Sewer to serve Woodland-Westfield Second Addition, (north of Maple, west of Tyler Road). Total Cost - \$29,216.22 (plus idle fund interest - \$1,022.78, plus temporary note interest - \$825.00). Financing to be issued at this time - \$31,064.00. (743832/468-83082/480-520).
- aa) Improving Lateral 438, Southwest Interceptor Sewer to serve Unplatted Tracts, (north of Central, west of 119th Street West). Total Cost - \$40,831.06 (plus idle fund interest - \$1,080.48, plus temporary note interest - \$1,609.46). Financing to be issued at this time - \$43,521.00. (743815/468-83030/480-503).
- bb) Improving Lateral 2, Main 6, War Industries Sewer to serve Regency Park Addition, (south of 29th Street North, west of Greenwich Road). Total Cost - \$89,766.60 (plus idle fund interest - \$3,636.40, plus temporary note interest - \$2,475.00). Financing to be issued at this time - \$95,878.00. (743831/468-83062/480-519).
- cc) Improving Water Distribution System to serve Forest Lakes Addition, (north of 29th Street North, west of Ridge Road). Total Cost - \$29,543.07 (plus idle fund interest - \$483.93, plus temporary note interest - \$825.00). Financing to be issued at this time - \$30,852.00. (734982/448-89022/470-652).
- (dd) Improving Water Distribution System to serve Shelly's Orchard Addition, (north of Pawnee, east of Maize Road). Total Cost - \$70,814.28 (plus idle fund interest - \$2,037.72, plus temporary note interest - \$1,925.00). Financing to be issued at this time - \$74,777.00. (734965/448-89236/470-635).
- ee) Improving Water Distribution System to serve Woodland-Westfield 2nd Addition, (north of Maple, west of Tyler Road). Total Cost - \$32,628.22 (plus idle fund interest - \$894.28, plus temporary note interest - \$962.50). Financing to be issued at this time - \$34,485.00. (734959/448-89453/470-629).
- ff) Improving Water Distribution System to serve Springdale Lakes Addition, (south of Kellogg, west of 143rd Street East). Total Cost - \$43,576.74 (plus idle fund interest - \$1,158.26, plus temporary note interest - \$1,100.00). Financing to be issued at this time - \$45,835.00. (734979/448-89485/470-649).
- gg) Improving Water Distribution System to serve West Ridge Estate Addition, (south of 29th Street North, east of 119th Street West). Total Cost - \$85,765.16 (plus idle fund interest - \$2,372.84, plus temporary note interest - \$2,310.00). Financing to be issued at this time - \$90,448.00. (734964/448-89471/470-634).
- hh) Improving Water Distribution System to serve Regency Park Addition, (north of K-96, west of Greenwich Road). Total Cost - \$64,501.43 (plus idle fund interest - \$2,520.07, plus temporary note interest - \$1,787.50). Financing to be issued at this time - \$68,809.00. (734956/448-89449/470-626).
- ii) Improving Water Distribution System to serve Auburn Hills 10th Addition, (south of Maple, east of 135th Street West). Total Cost - \$9,899.90 (plus idle fund interest - \$265.10, plus temporary note interest - \$275.00). Financing to be issued at this time - \$10,440.00. (734973/448-89478/470-643).
- jj) Improving Water Distribution System to serve Oak Cliff Estates Addition, (north of Maple, west of Maize Road). Total Cost - \$16,748.39 (plus idle fund interest - \$664.61, plus temporary note interest - \$440.00). Financing to be issued at this time - \$17,853.00. (734961/448-89462/470-631).
- kk) Improving Water Distribution System to serve Legacy Park Wilson Estates Addition, (south of 21st Street North, west of Webb Road). Total Cost - \$59,465.00 (plus idle fund interest - \$1,831.00, plus temporary note interest - \$1,650.00). Financing to be issued at this time - \$62,946.00. (734966/448-89469/470-636).
- ll) Improving Water Distribution System to serve Great Plains Business Park 2nd Addition, (south of 37th Street North, east of Oliver). Total Cost - \$68,677.16 (plus idle fund interest - \$2,817.34, plus temporary note interest - \$1,842.50). Financing to be issued at this time - \$73,337.00. (734953/448-89450/470-623).
- mm) Improving Water Distribution System to serve Plaza Central Office Park Addition, (south of Central, east of Greenwich Road). Total Cost - \$46,466.73 (plus idle fund interest - \$1,706.77, plus temporary note interest - \$1,237.50). Financing to be issued at this time - \$49,411.00. (734949/448-89444/470-619).

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nn) Improving Water Distribution System to serve Wilson Farms 2nd Addition, (north of 21st Street North, west of Webb Road). Total Cost - \$50,523.09 (plus idle fund interest - \$623.99, plus temporary note interest - \$2,393.92). Financing to be issued at this time - \$53,541.00. (734954/448-89447/470-624).

oo) Improving Water Distribution System to serve Angel Acres Addition, (north of 47th Street South, west of Meridian). Total Cost - \$50,522.00 (plus idle fund interest - \$1,772.00, plus temporary note interest - \$1,375.00). Financing to be issued at this time - \$53,669.00. (734947/448-89430/470-617).

pp) Improving Water Distribution System to serve Highland Springs 2nd Addition, (south of Central, west of 135th Street West). Total Cost - \$80,878.46 (plus idle fund interest - \$2,453.54, plus temporary note interest - \$2,200.00). Financing to be issued at this time - \$85,532.00. (734962/448-89426/470-632).

qq) Improving Lateral 166, Sanitary Sewer No. 22 to serve Bullinger Gardens Addition, (south of 27th Street North, west of Meridian). Total Cost - \$10,922.90 (plus idle fund interest - \$175.10, plus temporary note interest - \$275.00). Financing to be issued at this time - \$11,373.00. (743834/468-83086/480-522).

rr) Improving Lateral 395, Southwest Interceptor Sewer to serve Newmarket Square Addition, (north of 21st Street North, west of Maize Road). Total Cost - \$28,644.21 (plus idle fund interest - \$404.79, plus temporary note interest - \$825.00). Financing to be issued at this time - \$29,874.00. (743849/468-82818/480-537).

ss) Improving Lateral 54, Main 3, Southwest Interceptor Sewer to serve Aero Addition, (south of I-235, east of Meridian). Total Cost - \$3,264.82 (plus idle fund interest - \$173.18, plus temporary note interest - \$0.00). Financing to be issued at this time - \$3,438.00. (743825/468-83060/480-513).

tt) Improving Water Distribution System to serve Aberdeen 3rd Addition, (north of 21st Street North, east of 119th Street West). Total Cost - \$135,662.77 (plus idle fund interest - \$4,627.23, plus temporary note interest - \$3,850.00). Financing to be issued at this time - \$144,140.00. (734958/448-89402/470-628).

uu) Improving Storm Water Drain No. 143 to serve Plaza Central Office Park Addition, (south of Central, east of Greenwich Road). Total Cost - \$261,096.99 (plus idle fund interest - \$6,852.76, plus temporary note interest - \$8,848.25). Financing to be issued at this time - \$277,138.00. (751280/468-82976/ 485-171).

vv) Improving Water Distribution System to serve an area south of 61st Street North, east of the Little Arkansas River, (south of 61st Street North, east of Arkansas River). Total Cost - \$720,624.42 (plus idle fund interest - \$7,881.46, plus temporary note interest - \$33,515.12). Financing to be issued at this time - \$762,021.00. (734910/448-89363/470-580).

Motion -- carried

Knight moved that Statements of Cost be received and filed. Motion carried 7 to 0.

WATER SYSTEM

PETITION TO CONSTRUCT A WATER DISTRIBUTION SYSTEM TO SERVE PART OF THE SUNNYSIDE GARDENS THIRD ADDITION – NORTH OF CENTRAL, WEST OF I-235. (District V)

Agenda Report No. 00-1248.

The Petition has been signed by one owner, representing 100% of the improvement district.

This project will provide water service to a commercial property.

The Petition totals \$22,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners of the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-444

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89529, (north of Central, west of I-235) in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES.

There were no street closures considered.

EASEMENT

EASEMENT:

Sanitary Sewer Easement dated December 3, 2000 from Shiloh Baptist Church for a tract of land in Lot 40, Spring Grove 2nd Addition (2000 Sanitary Sewer Reconstruction Phase 4, OCA #620295). No cost to City.

Motion --
-- carried

Knight moved that document be received and filed and the necessary signatures be authorized. Motion carried\ 7 to 0.

CLAIMS

REPORT ON CLAIMS ALLOWED - OCTOBER 2000:

<u>Name of Claimant</u>	<u>Amount</u>
Dr. Dae H. Chang	\$483.69*
Luke Ellis	\$150.00
Kathleen Parker	\$158.00
Madge Bradbury	\$ 68.84
James W. Papen	\$253.00
Westlake Ace Hardware	\$125.00*
Pamela LaBrue	\$50.00
Mark Betts	\$400.00

*Settled for amount less than amount claimed.

Motion -- carried

Knight moved that the report be received and filed. Motion carried 7 to 0.

RESPREAD SPECIALS

RESPREAD ASSESSMENTS – REGENCY PARK ADDITION, SOUTH OF 29TH STREET NORTH AND WEST OF GREENWICH ROAD. (District II)

Agenda Report No. 00-1249.

The developer, Regency Park of Wichita, L.L.C., platted Regency Park Addition and has submitted an Agreement to respread special assessments within the Addition.

The land was originally included in an improvement district for a paving project. The purpose of the Agreement is to respread special assessments on an equal share basis for each lot. Without the Agreement, the assessments will be spread on a square foot basis. The Agreement will equalize the assessments for each lot, making it easier for the developer to market the lots.

There is no cost to the City.

Motion --
-- carried

Knight moved that Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

VICTIM SERVICES

VICTIM SERVICES CENTER.

Agenda Report No. 00-1250.

The U.S. Department of Justice has approved a grant to study to determine feasibility for the creation of a Center for Crime Victims.

A Request For Proposal was developed; no responses were received. Negotiations were held with Mainstream, Inc., to perform this feasibility study.

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The study will determine the feasibility of combining local community service agencies providing services to victims of crime in one center. This Center, if feasible, would create a one-stop service facility for victims of crime.

This project is supported by Grant No. 95-MU-MU-0008 awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice.

Motion --
-- carried

Knight moved that Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

BOND COUNSEL

PROFESSIONAL SERVICES – BOND COUNSEL.

Agenda Report No. 00-1251.

As the contract for the City's bond counsel came to the end of its term, a Request for Proposals was promulgated. The City Council selected the law firm of Hinkle Elkouri to provide services as the City's bond counsel and authorized staff to negotiate a contract for bond counsel services.

The City employs a law firm to provide bond counsel services to the City and its agencies (Airport Authority and the Public Building Commission). Bond counsel provides professional legal services in connection with the issuance and sale of general obligation bonds, general obligation refunding bonds, revenue bonds and refunding revenue bonds. The City's Bond Counsel serves as bond counsel for industrial revenue bond issues, except in limited situations.

An agreement outlining the services, compensation schedule and expenses for the City's bond counsel was negotiated with the law firm selected by the City Council.

City staff and the law firm were able to agree upon a favorable fee and expense structure for a wide variety of bond counsel services.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

POLICE TRANSCRIBING TRANSCRIBING SERVICES – POLICE DEPARTMENT.

Agenda Report No. 00-1252.

In the past, the Police Department has utilized TIVEN Medical Billing Agency for assistance in transcribing tapes from the Dictaphone cassette system, to eliminate backlogs. On November 18, 1998, the Council approved a one-year contract with TIVEN, with two one-year extensions. During the first year of this agreement, the Police Department was able to eliminate approximately 1/3 of the backlogged tapes on hand. Subsequently, the first extension of this contract was approved by Council on September 21, 1999. After this extension, the Police Department was able to eliminate another 1/3 of the backlogged tapes. In addition, on November 2, 1999, the City Council approved the purchase of a new digital dictation system for the Police Department's Records Section. This new system provided Police with a very modern and efficient means of storing and typing officer reports and case notes, using digital recording, rather than cassette tapes. This system is more efficient and should allow the department to remain current concerning verbal transcriptions. There are still 670 tapes (1/3 the original backlog) that have not been transcribed from the previous Dictaphone system. In an effort to reduce the backlog, the second extension of the TIVEN contract is needed.

There is a remaining supply of approximately 670 tapes that have not been transcribed from the old units. One final transcription effort with TIVEN should eliminate all cassette taped reports and allow the complete transition to the new digital dictation system.

Salary savings due to unused salaries are available to fund the contract.

Motion --
-- carried

Knight moved that Agreement/Contract be approved; the budget transfer be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

GILBERT & MOSLEY.

AMENDMENT - CAMP DRESSER AND MCKEE – GILBERT AND MOSLEY.

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Agenda Report No. 00-1253.

On October 24, 2000, the City Council approved the remediation design concept for the Plumes ABE groundwater remediation (clean-up) system for the Gilbert and Mosley project and authorized staff to negotiate a contract amendment with Camp Dresser & McKee (CDM) for construction of the system. These negotiations have resulted in the development of the Eighth Amendment to the Gilbert and Mosley Project Agreement between CDM and the City. The amendment consists of two parts: Amendment 8a includes the engineering and consulting activities to be performed by Camp Dresser & McKee Inc. (CDM Inc.). Amendment 8b includes the construction costs for the Plumes ABE groundwater treatment system to be performed by CDM Engineers & Constructors Inc. (CDM E&C).

The proposed contract amendment includes work activities consisting of construction and installation of the groundwater remediation system and treatment building, completion of this work is expected by the end of 2001. In addition to the installation of the remediation system the contract includes the cost of constructing a basic building to house the ground water treatment equipment in Herman Hill Park. As part of the contract negotiations staff has directed CDM to develop plans for an enhanced treatment building design that would integrate environmental education components, displays, water re-use options, other amenities and features. These enhanced building design concepts will be presented to the Council at a later date as construction options to the basic building included in the current contract.

The proposed budget for the Amendment 8a engineering and consulting activities is \$3,757,532. The proposed budget for the Amendment 8b Plumes ABE groundwater treatment system is \$5,160,403. The total proposed budget for the Eighth Amendment to the Gilbert and Mosley is a "not to exceed" amount of \$8,917,935 to be funded by revenues from the Gilbert and Mosley Tax Increment Finance (TIF) district which includes payments from responsible parties.

The Law Department has been involved with the negotiations of the contract with CDM, and has approved the Eighth Amendment as to form and content.

Motion --
-- carried

Knight moved that Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

EATON AMENDMENT

AMENDMENT TO MASTER DISBURSEMENT AGREEMENT – EATON PLACE PROPERTIES. (District I)

Agenda Report No. 00-1254.

On August 24, 1999, the City Council approved the issuance of Industrial Revenue Bonds for the Eaton Place project in three series: Series A bonds in the amount of \$6,520,000 to permanently finance a portion of the apartment complex; Series B bonds in the amount of \$1,000,000 to finance the equity contribution to the residential portion of the project; and, Series C bonds in the amount of \$5,000,000 to provide bridge financing for a portion of the residential and commercial components of the project. Series C bonds were to be issued in scheduled increments throughout the project and redeemed by various sources of non-bond funding committed to the project, including HOME and CDBG funds, the proceeds of historic and housing tax credits and developer equity.

Under the terms of the Master Disbursement Agreement for the project, the City reimbursed a portion of the eligible Series C bond residential costs from CDBG and HOME funds. MetroPlains has used all of the available Series C bonds for the project, but has not drawn all of the CDBG funds. In order to draw the remaining CDBG loan funds, MetroPlains Development LLC, the Preferred Developer, has requested the City amend the Master Disbursement Agreement to permit the reimbursement of a line of credit in lieu of issuance of additional Series C bonds.

The amendment to the Master Disbursement Agreement does not increase the City share of the project cost or change the total project budget.

Motion --
-- carried

Knight moved that Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

GOLF PRO CONTRACTS EXTENSION OF GOLF PRO CONTRACTS.

Agenda Report No. 00-1255.

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The golf professional contracts for the existing four City golf courses (L.W. Clapp, MacDonald, Sim, and Tex Consolver) will expire on December 31, 2000. Negotiations have been underway, assisted by Council Member Bob Martz, for negotiation of new contracts.

New proposed golf professional contracts have been tendered to the four golf professionals. Negotiations are underway but may require some additional time to conclude. For that reason it is necessary to extend the current contracts for one additional month through January 2001. The golf professionals have concurred in the contract extensions.

The existing contract provisions regarding payments to the golf professionals and sharing of golf course revenues will remain in place for this one month.

The contract extensions will be subject to approval as to legal form by the Department of Law.

Motion --
-- carried

Knight moved that Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CELL TOWER

LEASE AGREEMENT – CELL TOWER – MCDONALD PARK.

Agenda Report No. 00-1256.

Horizon Telecommunications has approached the City about placing a tower to provide wireless service in an approximately 2,500 square foot portion of the maintenance area of McDonald Golf Course. The site is located east of Roosevelt at approximately 10th Street if it existed in the area. The site has been reviewed and accepted by appropriate staff. The lessee has sought and received the appropriate approvals and conditional use permits to allow the tower to be built. The proposed tower will be 140-feet tall and will accommodate up to four service providers.

The lease agreement provides for a five-year term with three five-year options. Annual base rental is \$8,400 per year with annual three percent increases. If the facility is leased to three users, the base rent is increased to \$10,200. If a fourth user is added, base rent becomes \$12,000 per year. Until such time as all four spots on the tower are leased, the City shall have the right to utilize one spot at no cost to the City. The lessee agrees not to interfere with the public purpose of the area and to make sure the leased area is secure.

The City will receive rent revenues as described above. The lessee shall be responsible for all costs of installation, operation and maintenance of the facility and the leased land upon which it is constructed.

Motion --
-- carried

Knight moved that Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

PIATT MANOR

PIATT MANOR REDEVELOPMENT PROJECT. (District 1)

Agenda Report No. 00-1257.

On July 13, 1999, the Council approved a HOME CHDO Agreement with Power CDC in the amount of \$130,000 for development costs relating to the construction of 10 single family homes on the site of the former Piatt Manor Apartments at 2104 N. Piatt. Subsequently, on April 18, 2000, the Council approved the implementation of the project. At this point two newly constructed homes have been sold and are near completion, with closings scheduled for December 12.

Power CDC has sold 3 additional homes and construction is scheduled to begin by December 8. The construction time frame will be approximately 4 months. There is also a need to construct a model home for viewing by potential buyers. However, with the start of construction on the three pre-sold homes, the HOME funds provided under the grant agreement will be depleted to the point that no additional homes, whether they are pre-sold or a "spec" model. There is a high level of interest in these homes, and Power CDC continues to work with potential buyers in order to obtain permanent mortgage financing.

Staff recommends an amendment to Power CDC's funding agreement in order to provide an additional \$70,000 in additional HOME development funding for the project, so that construction can begin on additional homes. The proposed amendment will also include a clarification regarding the developer fee for Power CDC.

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HOME funding for the project is provided in the form of a participation construction loan. Commercial Federal Bank provides up to 75% of the value of each home in construction financing for each home, while the City provides the remaining 25%. The funding agreement requires any proceeds from the sale of the homes, less Power CDC's development fee, to be returned to the City. Additional HOME funding will be provided from currently unallocated funds.

The amendment to the grant agreement will be approved as to form by the City Law Department.

Motion --
-- carried

Knight moved that Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Addendum Item 32i)

MARKETING SERVICES INTERNAL MARKETING SERVICES AGREEMENT.

Agenda Report No. 00-1293.

Tourism consultant Alf Nucifora of Nucifora Consulting developed Wichita's Strategic Master Plan for Tourism. It was delivered on August 30, 2000 to nearly 300 participants. The response was overwhelming. This project has the commitment of the participants, civic leaders and the community.

The implementation of the Strategic Master Plan for Tourism should move ahead as quickly as possible. This will put in place the first major element of the plan – the internal marketing campaign. This includes account service and initial creative work to begin the process.

\$25,000 from 2000 city marketing budget, not including expenses. Funds are available.

Motion --
-- carried

Knight moved that Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CHANGE ORDER

2000 CONTRACT STREET MAINTENANCE PROGRAM CHANGE ORDERS.

Agenda Report No. 1258.

On December 7, 1999, the City Council approved the 2000 Street Maintenance Program. In order to maximize use of the available funds and take advantage of favorable bid prices, it is recommended that the scope be expanded.

Change Orders have been prepared that authorizes the additional work. Funding is available within the project budget.

The total cost of the additional work is \$99,960. The funding source is General Fund Reserves.

The Change Order amounts is within 25% of the construction Contract cost limit set by the City Council policy.

Motion -- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CHANGE ORDER

AUBURN HILLS GOLF COURSE, SOUTH OF MAPLE, EAST OF 151ST STREET WEST. (District V)

Agenda Report No. 00-1259.

The 1998/1999 Capital Improvement Program included a project to construct the Auburn Hills Golf Course (GC-558001). On September 15, 1998, the City Council awarded a Contract to Wildcat Golf in the amount of \$7,044,795 for construction of Auburn Hills Golf Course. The project overcame the destruction of the Halloween, 1998 flood.

A Change Order has been prepared that authorizes additional work for revised tee construction, grassing changes and additional cart path construction. The revised tee construction and grassing changes are based on recommendations by a United States Golf Association consultant. Construction of the designed cart path to widths that also accommodate maintenance equipment have determined the final quantities that are payable. Funding is available within the project budget.

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The total net cost of the additional work is \$65,605. The funding source as provided in the Capital Improvement Program is from General Obligation bonds.

The Change Order amounts to less than 1% which along with other changes totaling \$7,469 are well within the 25% of construction Contract cost limit set by City Council policy.

Motion -- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CHANGE ORDER

DOUGLAS AND TOPEKA STREET IMPROVEMENTS – DOUGLAS FROM MAIN TO TOPEKA AND TOPEKA FROM DOUGLAS TO WILLIAM. (District VI)

Agenda Report No. 00-1260.

On January 28, 1992, the City Council approved the Douglas & Topeka Street Improvement project. On June 15, 1999, the City Council awarded a Contract in the amount of \$3,748,524.50 for construction of the project and associated water main reconstruction.

A Change Order has been prepared that authorizes additional work for basement wall reconstruction, electrical panel enclosures, statue installation and inlay of sidewalk paver design. Funding is available within the project budget.

The total cost of the additional work is \$38,380. The funding source as provided in the Capital Improvement Program is from General Obligation bonds.

The Change Order amount is within 25% of the construction Contract cost limit set by City Council policy.

Motion -- carried

Knight moved that the change order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

UNITED WAREHOUSE

SEDGWICK COUNTY INDUSTRIAL REVENUE BONDS – UNITED WAREHOUSE COMPANY.

Agenda Report No. 1261.

On July 15, 2000, the Sedgwick County Board of County Commissioners adopted an Inducement Resolution for the issuance its Industrial Revenue Bonds in an amount not to exceed \$5 million for the purpose of financing the construction of a 200,000 sq. ft. warehouse facility for United Warehouse Company near the intersection of 45th Street North and I-135. Due to its proximity to the Wichita city limits, the County is required by law to seek the approval or disapproval from the City for the issuance of the proposed bonds.

The Sedgwick County Clerk has given official notice to the cities of Wichita, Bel Aire, Kechi and Park City of its intent to issue the aforementioned bonds, pursuant to the state law requirement that a county provide notice to any city located within three (3) miles of the site of a project to be financed with County industrial revenue bonds. Cities receiving such notice have seven (7) business days from the date of the next regularly scheduled meeting of their governing bodies to provide the County with written notification specifically disapproving the issuance of the bonds.

There is no adverse financial impact of the proposed bond-financed project on the City.

Motion --

-- carried

Knight moved that issuance of industrial revenue bonds be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-445

A Resolution approving Sedgwick County, Kansas, issuance of Industrial Revenue Bonds for United Warehouse Company, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

BUDGET

PROPERTY MANAGEMENT - SPECIAL REVENUE FUND.

Agenda Report No. 00-1262.

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The Property Management Special Revenue Fund is a self-sustaining special revenue fund. The management and maintenance of non-project related City properties is paid for from this fund. Some of these properties include properties acquired in advance of the East and West Kellogg expansion projects, the Family Inn, the former Heartspring campus and Victoria Park apartments.

When the 2000 budget was adopted, it did not fully envision that the number of properties that would be acquired in advance of the East and West Kellogg expansion projects. While most of the properties are leased on an interim basis, there are maintenance and management expenses inherent in ownership. Through October, annualized maintenance and utility costs were \$30,000 above budgeted levels. During this same period, building rental income was \$110,000 above the annualized budgeted levels. Based on forecasted acquisitions and the associated costs, it is projected that an additional \$60,000 above the budgeted levels will be required for contractuals for the year.

Property Management's contingency account contains sufficient funds to meet the needs noted above. Total funds required at this time total \$60,000.

Budget transfers/adjustments in excess of \$10,000 require City Council approval.

Motion -- carried

Knight moved that budget be approved. Motion carried 7 to 0.

BUDGET

AUBURN HILLS CLUBHOUSE LANDSCAPING.

Agenda Report No. 00-1263.

On July 1, 1997, the City Council approved \$5.2 million in General Obligation Bonds for construction of the Auburn Hills Municipal Golf Course in west Wichita. The bonding resolution authorized \$4.7 million for course construction and \$500,000 for the clubhouse/cartbarn/parking lot complex.

On October 16, 1998, the City broke ground on the Auburn Hills project. Construction is nearing completion, with play on the course anticipated to commence in 2001.

The cost of including landscaping around the clubhouse area at Auburn Hills, including the installation of complex irrigation systems and plant materials, was not included in the original project estimate. The Park and Recreation Department agreed to provide for the installation of landscaping around the clubhouse area as the project neared completion.

The estimated cost of irrigation system installation is \$59,170, with the cost of plant materials, including trees, shrubs, perennials, groundcovers, fescue sod, and cypress mulch approximated at \$40,550.

Total landscaping costs for the clubhouse area at Auburn Hills are estimated at \$99,720. Under-expenditures in the Park and Recreation operating budget are available to cover the costs.

Budget transfers in excess of \$10,000 require City Council approval.

Motion -- carried

Knight moved that budget adjustments and transfer of funds be approved. Motion carried 7 to 0.

BUDGET

WATER DISTRIBUTION DIVISION.

Agenda Report No. 00-1264.

Budget reallocations within the Water Utility are necessary to meet meter expenses, paving cuts and main installations.

The price of meters recently increased from \$55.00 to \$99.00 per meter. The Water Distribution Division ordered 3000 meters in the year 2000, an increase of approximately 30% over 1999. The rest of the increase is simply due to an increase in price. The original budget for meters was \$230,000; however, the year-end expenditure for 2000 will be approximately \$393,000.

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Cost of pavement repairs associated with main breaks is the primary factor causing the budget shortfall. The pavement cut fee includes the direct cost of repairing the street as well as a surcharge for anticipated future maintenance and replacement cost on streets less than five years old. Main leaks have increased 26% over 1999.

Water Distribution crews have begun to replace two-inch mains which were previously worked by construction companies. Water crews can do the replacement at a lower cost.

The type of pipe purchased in 2000 (and a price increase of approximately \$2.00 per foot for pipe of all sizes) has played a major role in the budget shortfall

Reallocation of \$112,000 from the Water Utility operating budget to commodities and \$190,000 to contractals will provide sufficient budget authority to meet this need. Staff recommends the following transfers:

- ? \$79,000 from unexpended capital in Water Distribution
- ? \$32,000 from personal services in Water Distribution
- ? \$23,000 from contractals in Production & Pumping
- ? \$23,000 from commodities in Production & Pumping
- ? \$100,000 from unexpended capital in Production & Pumping
- ? \$45,000 from water utility contingency

Unexpended capital in Water Distribution and the budgeted \$20,000 for facility improvements will not be spent, and there is unexpended capital in Production & Pumping. Current financial projections show a small amount of contractals and commodities will not be expensed in 2000 for the Production & Pumping division.

Staff will review the budget allocation for meters in the 2001/2002 budgets.

Motion -- carried

Knight moved that the transfer of funds be approved. Motion carried 7 to 0.

BUDGET

SNOW AND ICE BUDGET ADJUSTMENT.

Agenda Report No. 00-1265.

The Snow and Ice budget is appropriated \$88,000 for de-icing materials annually. Several major winter snow and ice storms in the early part of 2000 depleted stockpiles of de-icing materials and the budgeted funds were expended by the end of April. An additional \$45,000 was added to the budget in August. Due to the recent extreme temperatures and icy precipitation, \$38,000 in materials have been used and an order has been placed to restock this material.

The forecast is calling for more extreme cold and possible precipitation that will require additional materials be purchased. It is imperative that materials be kept on hand to ensure the safety of the citizenry should more icy conditions occur.

Including the material which has been ordered, the 2000 Snow and Ice commodities account has a balance of approximately \$3,000. Because of the anticipated materials need, a transfer is needed to allow for replenishment of our sand and salt supplies between now and the end of the year. It is requested that \$50,000 be transferred into the snow and ice budget to ensure that adequate supplies are available.

Funds are available in the Street Maintenance budget to address the anticipated needs in the Snow and Ice budget. Because of the extreme temperatures and precipitation expected through the end of the year, purchases of material for routine street maintenance will be limited. Funds that would normally be used for materials for routine maintenance are available for this transfer.

Motion -- carried

Knight moved that the budget adjustment(s) be approved. Motion carried 7 to 0.

SWIMMING POOL

SWIMMING POOL IMPROVEMENTS.

Agenda Report No. 00-1266.

On November 28, 2000, the City Council approved the City's 2001-2010 Capital Improvement Program (CIP). The 2001 Park and Recreation CIP provides funding for improvements to various swimming pools across the city on a periodic, as-needed basis.

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The Park and Recreation Department maintains and operates twelve (12) municipal pools within the City's park system. Annual maintenance includes repainting of pool shells, replacement of ladders and diving boards, and other items necessary to keep the pools aesthetically attractive and safe for the public's use.

Pools tentatively identified for improvements in 2001 include Linwood, Minisa, and Orchard. Previously authorized improvement projects are moving towards the construction phase at Edgemoor, Aley, McAdams, and Country Acres pools.

Funding in the amount of \$100,000 is available within the City's 2001/2002 capital improvement budget to fund the improvements. The source of funding is General Obligation bonds.

Motion -- carried

Knight moved that the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-446

A Resolution authorizing the issuance of Bonds by the City of Wichita at large for swimming pool improvements, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

LIBRARY FIRE ALARM MAIN LIBRARY FIRE ALARM SYSTEM. (District I)

Agenda Report No. 00-1267.

The fire alarm system at the Main Library is in need of replacement. Staff prepared a Request For Proposal (RFP) and invited eight companies that specialize in this type of work to provide proposals. Of those invited, two firms responded.

Both responses were within budget. Simplex provided a more economical proposal. The Staff Screening & Selection Committee reviewed the proposals and recommended that Simplex be awarded the project.

The 2000 Capital Investment Maintenance Program (CIMP) has funds budgeted for this work in the amount of \$28,000. The Finance Department is completing the Contract between the City of Wichita and Simplex in an amount not to exceed \$22,061.

Motion --
-- carried

Knight moved that selection of Simplex and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ

ACQUISITION OF PORTION OF 653 NORTH EDWARDS – CENTRAL (MERIDIAN TO WEST STREET) PAVEMENT WIDENING IMPROVEMENT PROJECT. (District VI)

Agenda Report No. 00-1268.

The widening and improvement of Central from Meridian to West St. is included in the Arterial Corridor improvements in the 2000 CIP. As part of this project, Central will be widened and turn lanes added. These improvements will require the acquisition of a portion of the residential property on the southwest corner of Central and Edward, commonly known as 653 N. Edwards. The site contains 9,975 square feet and is improved with a single family residence. The taking requires 375 square feet and does not impact the improvements.

The acquisition was appraised at \$1800.00 with an additional \$4,410.84 for the cost to cure damages for a total value of \$6,210.84. The owner has agreed to sell the property for this amount.

The Capital Improvement Program includes funds for Arterial Corridor acquisitions. The funding source is General Obligation Bonds. A budget of \$7,210.84 is requested. This includes \$6,210.84 for the acquisition and \$1,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ

ACQUISITION OF PORTION OF 11701 WEST KELLOGG – WEST KELLOGG/TYLER & MAIZE HIGHWAY IMPROVEMENT PROJECT. (District V)

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Agenda Report No. 00-1269.

In November 1999, the City Council approved Ordinance 44-429 authorizing funding for the Kellogg/Tyler & Maize Highway project. This approval allowed the City to initiate acquisition of needed parcels. One such acquisition is located at 11701 West Kellogg and is owned by the Francis J. Lofland Revocable Trust. The site contains 78,950 square feet and is currently utilized as a car sales lot. The taking involves a 312.5 square foot triangle at the northeast corner of the property.

The taking, including cost to cure, has been appraised for \$3,455 and the owner has agreed to sell the property for this amount.

Funds have been budgeted in the 2000 Capital Improvement Program. The funding source will be Local Sales Tax revenues. A budget of \$4,000 is requested. This includes \$3,455 for the acquisition and \$545 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF RIVER CORRIDOR PROPERTY - 150 NORTH WACO. (District VI)

Agenda Report No. 00-1270.

The City has been examining the possible acquisition of properties along the river corridor. The property at 150 N. Waco has been offered for acquisition.

This property directly fronts the east bank of the Arkansas River at south of First Street and will be important to the re-development of the river corridor. The proffered price is a fair market value for the land. Other than very old asphalt parking surface, the land requires no demolition of structures.

Funding for the \$1.6 million land acquisition (plus closing costs of approximately \$50,000) will be derived from a combination of 2000 General Fund under-expenditures and City Capital Improvement Program project savings and reprogrammed funding.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; the necessary signatures be authorized; and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-447

A Resolution authorizing the issuance of General Obligation Bonds of the City of Wichita, Kansas to pay all or a portion of the costs of acquiring property generally located on the southwest corner of First and Waco Streets in Wichita, Sedgwick County, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

SETTLEMENT

PAYMENT FOR SETTLEMENT.

Agenda Report No. 00-1271.

The City is the defendant in a personal injury action in which the plaintiff has alleged that she was damaged as a result of a traffic accident involving a car driven by a City employee.

This case is set for trial in May 2001. The plaintiff has offered to settle her claim against the City for \$20,000. The plaintiff incurred medical expenses and lost wages from her employment as a direct result of the accident. In addition, she is claiming some permanent disability due to the injuries she suffered in the accident. It is likely that a jury would find the City 100% at fault for the accident.

Funding for this settlement payment is from the City's tort claims fund.

Motion -- carried

Knight moved that payment in settlement of Case No. 00 C 1996 be authorized. Motion carried 7 to 0.

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PAYMENT OF AWARD PAYMENT OF CONDEMNATION AWARD – WEST KELLOGG IMPROVEMENTS. (District V)

Agenda Report No.00-1272.

Earlier this year,the Council authorized the acquisition by eminent domain of five tracts of land along West Kellogg in connection with the project to improve the highway. The court appointed appraisers have filed their report of the value of the five tracts.

he award for Tract 4 (Blue Water Pools—8830 W. Kellogg) is \$630,000. The award for Tracts 7 and 8 (Collision Specialists—9048-9050 W. Kellogg) is \$1,600,000. The award for Tract 9 (Tyler Motel—9600 W. Kellogg) is \$344,000. The award for Tract 11 (Novacek Automotive—9212 W. Kellogg) is \$212,000. The award for Tract 12 (Landwehr—9214 W. Kellogg) is \$200,000.

In order for the City of obtain title to these tracts of land it must pay the amount of the award, together with costs and appraisers' fees, into the Clerk of the District Court on or before January 5, 2001. Acquisition of all five of these tracts is necessary in order for the City to have the required right-of-way to construct the planned improvements to West Kellogg.

The cost of acquiring this property will be paid out of the street improvement project.

In order acquire the tracts, it is necessary to pay the award, together with court costs and fees, to the Clerk of the District Court on or before January 5, 2001.

Motion --

Knight moved that payment to the Clerk of the District Court of the appraisers' award in the amount of \$2,986,000, together with the related costs and fees for acquisition of these five tracts in connection with the West Kellogg improvements be authorized. Motion carried 7 to 0.

-- carried

PROPERTY DISP. PUBLIC HOUSING HOME OWNERSHIP PLAN – SALE OF 232 SOUTH RICHMOND. (District IV)

Agenda Report No. 00-1273.

March 17, 1998, the City Council approved a pilot program for the sale of the City's single-family public housing stock, and authorized staff to submit the plan to the Department of Housing and Urban Development (HUD) for approval. The pilot program calls for 100 units of public housing to be made available to existing public housing tenants, and then subsequently to individuals on the Public Housing and Section 8 waiting lists. The plan requires potential buyers to qualify for permanent first-mortgage financing, and includes an element for assistance with the down payment and closing costs required to complete the purchase. This assistance is provided in the form of a zero-interest deferred loan, secured by a second mortgage held by the City. No monthly payments are required on the second mortgage loan, and the loan is not due and payable until the property is sold or until such time as the owner ceases to use the property as his/her principal residence. Participation in a Maintenance Reserve Program is also required under the plan.

The City's 5(h) plan has been approved by Housing and Urban Development.

Units sold under the plan must be sold for current appraised value. In this particular case, the unit appraised for \$50,000. The buyer has pre-qualified for a first mortgage loan, and will be responsible for the payment of pre-paid interest, the first year's hazard insurance premium, and the amounts required by the lender for initial deposits to the escrow account, as required by the plan. The buyer's investment is estimated to be approximately \$800.00. The buyer of this unit is currently a public housing tenant.

Since the Maintenance Reserve Plan is currently under development, a one-year home warranty will be provided for the buyer to cover potential problems with the unit until such time as the Maintenance Reserve Plan becomes operational.

Following Council approval, HUD approval will be solicited and the actual closing on the home will occur on or before December 29, 2000.

The subject unit will be sold for \$50,000, with the City financing approximately \$25,600 for the required down payment, closing costs, and financing of the Maintenance Reserve Premium. Net proceeds from the sale, after deductions for normal seller-paid costs, homeownership training expenses, and the second mortgage are expected to be approximately \$25,000. The adopted 5h plan specifies that 35% of the proceeds from the sale will be set aside for loan loss reserves, which must be held for a minimum of five years. Proceeds may also be used for expenses

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incurred in rehabilitating the structure, and 10% of the proceeds may be allocated to administrative expenses. Sale proceeds in excess of the loan loss reserves will be placed in a dedicated housing account (Housing Partnership Fund), for the development of affordable housing. With this sale, the majority of the proceeds may be used for capitalization of the Maintenance Reserve Program.

The purchase contract will be approved as to form by the City Law Department. The unit to be sold is one of the 100 units approved for sale by HUD, and the third unit sold since the implementation of the program.

Motion --
-- carried

Knight moved that the sale be approved; staff be authorized to obtain the necessary releases from HUD, and the necessary signatures be authorized. Motion carried 7 to 0.

SANITARY SEWER

SEWAGE TREATMENT PLANT NO. 2 IMPROVEMENTS.

Agenda Report No. 00-1274.

On January 19, 1999, the City Council approved a plan for a new sewage treatment plant and improvements to serve northwest Wichita, along with improvements to Sewage Treatment Plant #2. On August 3, 1999, the City Council approved a Contract for the selection of a consultant to perform project management tasks. The tasks were to include the development of plans, specifications, and estimates for the design and construction phase of the project. Project cost-estimates and a timeline for the construction of the improvements were to be provided for budgeting purposes.

The design is complete for Sewage Treatment Plant #2 and construction can begin. The improvements will improve reliability of the treatment process and will include new primary pumps, a new grit removal system, new bar screens, improvements to the clarifier, ultraviolet disinfection, improved septage receiving, and odor control improvements.

The 2001 CIP includes \$10.4 million in S-513, Sewage Treatment Plant #2 Improvements, for the project. Anticipated completion date is 2002.

Motion --
-- carried

Knight moved that the budget be approved, the Resolution be adopted; and Notice of Intent to Publish be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-448

A Resolution of the City of Wichita, Kansas, declaring it necessary to construct, reconstruct, alter, repair, improve, extend, and enlarge the water and sewer utility owned and operated by the City, and to issue revenue bonds in a total principal amount which shall not exceed \$10.4 Million, exclusive of financing costs, for the purpose of paying certain costs thereof, and providing for the giving of notice of such intention in the manner required by law, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

NE SOCCER COMPLEX NORTHEAST SOCCER COMPLEX – SOUTH OF 29TH STREET NORTH, WEST OF GREENWICH. (District II)

Agenda Report No. 00-1275.

On December 21, 1999, the City Council approved a project to construct a parking lot to serve the new Northeast Soccer Complex. In order to maximize the available parking spaces on the site, additional funding is needed for excavation work, landscaping and construction inspection expenses.

Amended Resolutions have been prepared to increase the soccer complex budget and decrease the Cessna Park project budget. It is recommended that the funding authority for this project be increased by \$30,000. Funding is available from money programmed for Cessna Park improvements.

The proposed budget increase is \$30,000. The funding source is General Obligation Bonds.

Motion -- carried

Knight moved that the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-449

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A Resolution amending Resolution No. R-99-501 of the City of Wichita, Kansas, authorizing the issuance of Bonds by the City of Wichita at large for public improvements in Cessna Park (472-82969), presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. R-00-450

A Resolution amending Resolution No. R-99-514 of the City of Wichita, Kansas, authorizing improvements to the Northeast Soccer Complex, pursuant to Findings of Advisability made by the governing body of the City of Wichita, Kansas, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight..

GO/BOND NOTE SALE GENERAL OBLIGATION TEMPORARY NOTE SALE (SERIES 202) AND GENERAL OBLIGATION BOND SALE (SERIES 764)

Agenda Report No. 00-1276.

The City is planning to offer for sale one series of general obligation temporary notes totaling \$34,090,000, and one series of general obligation special assessment bonds estimated not to exceed \$7,765,000 for the purpose of providing temporary and permanent financing for capital improvement projects of the City. The public sale of the bonds and notes is scheduled for 10:30 a.m. on January 23, 2001, at which time sealed bids will be opened and the City Council will award the sale of each series of bonds and notes to the bidders whose proposed interest rates will result in the lowest overall cost to the City.

The City's Winter 2001 general obligation bond and note sale includes the following issues:

Temporary Notes

The proceeds from the sale of the Series 202 Temporary Improvement and Renewal Notes will be used to provide interim finance for various City-at-large and improvement district projects:

Series 202	
Project Category	Total
Arterial Paving	\$ 4,744,600
Traffic Engineering	43,000
Bridges	785,000
Public Improvements	3,425,000
Park Improvements	2,110,700
Neighborhood Improvements - Water	4,303,000
Neighborhood Improvements - Sewers	2,550,000
Neighborhood Improvements - Storm Sewer	1,600,000
Neighborhood Improvements - Paving	14,153,700
Storm Water Improvements	<u>375,000</u>
TOTAL SERIES 202 NOTES	\$34,090,000

"Special Assessment Bonds"

The proceeds from the sale of Series 764 Bonds will be used to permanently finance various neighborhood improvements located in special improvement districts. Special assessments have been levied against the property owners in the improvement districts for the purpose of paying all or a portion of the costs of such improvements, including the payment of principal and interest on Series 764 Bonds. The Special Assessment Bonds will be issued in an amount not to exceed \$7,765,000.

In the past, bonds were awarded based on the lowest net interest cost, or "NIC". Using a NIC calculation is a way to measure the total amount of interest, without regard for the time value of money, that will be paid over the life of an issue. Beginning with this sale of bonds and notes, however, each series will be awarded based on the bid with the lowest true interest cost, or "TIC". Market sentiment indicates that using the true interest cost, is a more acceptable method to use when calculating bids. Using TIC to calculate the bids, accounts for the time value of money. The TIC is the rate that will discount all future cash payments so that the sum of their present value will equal the bond proceeds. Further, using the TIC calculation can potentially result in a municipality saving money because TIC does not ignore the timing of interest payments.

The Series 202 Temporary Notes will mature on August 23, 2001 and will be retired using the proceeds of both permanent financing bonds and renewal notes.

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Series 764 Special Assessment Bonds will mature serially over 15 years with principal maturities structured to produce level annual payments of principal and interest. The Series 764 Bonds are payable from the collection of special assessments levied against benefited properties, and if not so paid, from city-wide ad valorem taxes. The special assessment bonds will be callable in 2008 with a 1% call premium.

Motion -- carried

Knight moved that the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-432

A Resolution of the City of Wichita, Kansas, authorizing and providing for the public sale of General Obligation Renewal and Improvement Temporary Notes, Series 202, and General Obligation Bonds, Series 764 of the City; and providing for the giving of Notice of the public sale; presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

IRB HISTORIC HOTEL PURCHASE OPTION – HISTORIC HOTEL PARTNERS OF WICHITA, L.P. (District VI)

This Item was pulled from the Agenda.

CIC INDUSTRIES, INC. PURCHASE OPTION – CIC INDUSTRIES, INC. (District I)

Agenda Report 00-1278.

On October 5, 1982, the Wichita City Council approved the issuance of \$57.41 million in Industrial Revenue Bonds, Series II, 1982, for the purpose of purchasing and constructing an industrial project located at East 21st Street North

Under the provisions of Sections 14.2 and 14.3 of the Lease Agreement for the bond series, CIC Industries, Inc, has the option, if all outstanding bonds have been paid, to purchase the facility from the City of Wichita for the sum of \$100. The City of Wichita on October 12, 2000, received notice from CIC Industries, Inc. that the Company had caused the Trustee to redeem outstanding bonds, and of the company's intention to exercise its purchase option.

Under the terms of the Lease, the City is required to convey the personal property securing the IRB issue to the Tenant, once the Tenant has paid the purchase price and other considerations as listed under the provisions of the Lease Agreement, including the payment of all outstanding bonds.

The purchase price is \$100 and other considerations as listed under the provision of the Lease Agreement to redeem and retire all outstanding bonds. This price includes without limitations, principal, interest, redemption premium, and all other expenses of redemption, and trustee fees, but after the deduction of any amounts described and provided for in the Lease Agreement and available for such redemption.

Motion --
-- carried

Knight moved that the bond call be ratified; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R 00-451

A Resolution ratifying redemption of outstanding bonds by CIC Industries, Inc., presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

IRB RYAN AVIATION PARTIAL BOND REDEMPTION – RYAN AVIATION. (District I)

Agenda Report No. 00-1279.

On December 8, 1998, the City Council approved the issuance of Industrial Revenue Bonds ("IRBs"), Series XVII, 1998, in the amount of \$2.7 million to finance the acquisition and conversion of a vacant building at 105 E. Second St. in downtown Wichita to serve as the corporate headquarters of Ryan International. A 10-year 100% tax exemption was granted on the improvements financed with the IRBs. Ryan International has requested the City to authorize a partial redemption of the bonds, in the amount of \$270,000.

The Series XVII, 1998 Bonds were purchased by the Ron D. Ryan Living Trust. The bonds are redeemable at any time in whole or in part, at the option of the City upon instruction from the Tenant, at a redemption price equal to

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the par value of the bonds being called, plus accrued interest to the call date, without premium. Under the terms of the bond indenture, call notice is to be given to the bondholder 30 days in advance of the call date. Since the Tenant and Bondholder are related parties in this case, the Trustee has requested that the 30-day notice requirement be waived.

There is no financial impact on the City.

Motion --
-- carried

Knight moved that redemption of the bonds be authorized; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R 00-452

A Resolution ratifying partial redemption of the bonds on behalf of Ryan Aviation, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

STORM WATER RATE AMENDED STORM WATER RATE RESOLUTION.

Agenda Report No. 00-1280.

On February 23, 1993, the City Council approved Resolution No. R-93-046 establishing the Storm Water Utility rate at \$1.66/ERU.

On July 11, 1995, the City Council approved specific reductions in the Storm Water Utility fee from \$1.66 per ERU to \$1.21 per ERU. On November 21, 1995, the City Council approved Resolution No. R-95-534 implementing the fee reduction.

On August 10, 1999, the City Council approved an ERU rate increase of \$0.06 (\$1.27/mo.) which was required to expand the "hot spot" drainage program in the year 2000 budget.

On August 15, 2000, the City Council approved an ERU rate increase of \$0.05 (\$1.32/mo.) which will be required to expand the "hot spot" drainage program in the year 2001 budget.

The current ERU rate brings in \$5,195,000 in revenues to the Utility. This fee increase will result in an estimated additional \$205,000 in revenue to the Utility in 2001.

Motion -- carried

Knight moved that the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-453

A Resolution amending Section 2 of Resolution No. R-95-534 pertaining to the ERU rate for the stormwater Utility and Repealing the original of said Section, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

2000 BOUNDARY RES. 2000 BOUNDARY RESOLUTION.

Agenda Report No. 00-1281.

The City of Wichita is required by Kansas State law to annually prepare a description of the corporate boundaries. The law requires that the description shall define the boundaries after incorporating all changes made through annexation or exclusions of territory since December 31, 1999.

During calendar year 2000, the City of Wichita approved a total of twenty-four (24) annexations, with nine (9) of these being unilateral. Three of the nine unilateral annexations were initiated in 1999 and approved in 2000. Similarly, three unilateral annexations have been initiated in 2000 that will be heard by the Wichita City Council in the year 2001, and therefore, are not included in the 2000 perimeter resolution.

K.S.A. 12-517 requires that for any year in which any territory has been added or excluded from any city, the governing body of such city shall declare, by resolution, the entire boundary of the city. The Law Department has reviewed and approved the Resolution as to form.

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Motion -- carried

Knight moved that the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R 00-454

A Resolution defining the boundaries of the City of Wichita, effective December 31, 2000, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ DECEMBER 12, 2000)

- a) Industrial Revenue Bonds – Cessna Aircraft Company. (Districts III and V)

ORDINANCE NO. 44-822

An Ordinance authorizing the City of Wichita, Kansas, to issue its taxable Industrial Revenue Bonds, Series X, 2000 (Cessna Aircraft Company), in the aggregate principal amount of not to exceed \$120,000,000 for the purpose of purchasing, acquiring, constructing and installing an industrial and commercial facility; authorizing execution of a Tenth Supplemental Trust Indenture by and between the City and Intrust Bank, N.A., Wichita, Kansas (successor trustee to Boatmen's National Bank (formerly Bank IV, National Association), Wichita, Kansas, as Trustee with respect to the Series X, 2000 Bonds; authorizing the City to lease said project to Cessna Aircraft Company; authorizing the execution of a Tenth Supplemental Lease by and between the City and Cessna Aircraft Company; authorizing the execution of a Third Supplement Site Lease and Subordination Agreement by and between Cessna Aircraft Company and the City; and authorizing the execution of a Bond Purchase Agreement by and between the City and Cessna Aircraft Company, as purchaser of the Bonds, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- b) Industrial Revenue Bonds – Bombardier Learjet. (District V)

ORDINANCE NO. 44-823

An Ordinance authorizing the City of Wichita, Kansas, to issue its Taxable Industrial Revenue Bonds in the aggregate principal amount not to exceed \$17,525,000 for the purpose of providing funds to purchase, acquire, construct and equip improvements and additions to certain existing facilities located in the City of Wichita, Kansas; prescribing the form and authorizing execution of a Fourth Supplemental Trust Indenture by and between the City and Intrust Bank, N.A., Wichita, Kansas, as Trustee, with respect to the Bonds; prescribing the form and authorizing the execution of a Fourth Supplemental Lease Agreement by and between Learjet Inc., and the City; approving the form of a Guaranty Agreement, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 0. (Cole abstained) Yeas: Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- c) Industrial Revenue Bonds – The Coleman Company, Inc. (District I)

ORDINANCE NO. 44-824

An Ordinance authorizing the City of Wichita, Kansas, to issue its Taxable Industrial Revenue Bonds, Series VII, 2000 (The Coleman Company, Inc.), in the aggregate principal amount of not to exceed \$15,500,000 for the purpose of providing funds to purchase, acquire, construct and equip improvements and additions to certain existing facilities located in the City of Maize, Kansas and the City of Wichita, Kansas; prescribing the form and authorizing execution of a Seventh Supplemental Trust Indenture by and between the City and BNY Trust Company of Missouri, as Trustee, with respect to the Bonds; prescribing the form and authorizing execution of a Seventh Supplemental Lease Agreement by and between the City and the Coleman Company, Inc; approving the form of a Guaranty Agreement; authorizing the execution of a Bond Purchase Agreement by and between the City, and the Coleman Company, Inc., as purchaser of the Bonds, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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- d) Industrial Revenue Bonds – Big Dog Motorcycles, L.L.C. (District I)

ORDINANCE NO. 44-825

An Ordinance of the City of Wichita, Kansas, authorizing the issuance of \$2,000,000 aggregate principal amount of taxable Industrial Revenue Bonds, Series V, 2000 (Big Dog Motorcycles Project) for the purpose of providing funds to acquire, refurbish and equip an existing commercial facility; prescribing the form and authorizing execution of a Trust Indenture by and between the City and Intrust Bank, N.A., as Trustee with respect to the Bonds; prescribing the form and authorizing the execution of a Lease Agreement by and between the City and Waterview Realty, L.L.C.; approving the form of a Guaranty Agreement; approving the sublease of the project to Big Dog Motorcycles, L.L.C.; authorizing the execution of a Bond Placement Agreement by and between the City and Waterview Realty, L.L.C., as purchaser of the Bonds, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 6 to 1. Yeas: Cole, Gale, Martz, Pisciotte, Rogers, Knight. Nays: Lambke.

- e) Industrial Revenue Bonds – Dean and DeLuca, Inc. (District I)

ORDINANCE NO. 44-826

An Ordinance of the City of Wichita, Kansas, authorizing the issuance of \$2,760,000 aggregate principal amount of Taxable Industrial Revenue Bonds, Series IX-A, 2000 (Dean & DeLuca, Inc.) and \$660,724.38 aggregate principal amount of Subordinated Taxable Industrial Revenue Bonds, Series IX-B, 2000 (Dean & DeLuca, Inc.) for the purpose of providing funds to acquire a site and construct an addition to an existing distribution facility located in the City of Wichita, Kansas and the issuance of \$1,568,751 aggregate principal amount of Taxable Industrial Revenue Bonds, Series IX-C, 2000 (Dean & DeLuca, Inc.) for the purpose of providing funds to acquire certain equipment and to install said equipment in an existing call center and in the distribution center, all located in the City of Wichita, Kansas; prescribing the form and authorizing execution of a Trust Indenture by and between the City of Wichita, Kansas and Commerce Bank, N.A., as Trustee, with respect to the Series IX-A, 2000 Bonds and the Series IX-B, 2000 Bonds; prescribing the form and authorizing execution of a trust indenture by and between the City of Wichita, Kansas and Commerce Bank, N.A., as trustee with respect to the Series IX-C, 2000 Bonds; prescribing the form and authorizing the execution of a Lease Agreement by and between the City of Wichita, Kansas and Dean & DeLuca, Inc. with respect to the property financed by the Series IX-C, 2000 Bonds; approving the form of two separate Guaranty Agreements; authorizing the execution of a Series A Bond Replacement Agreement by and among the City of Wichita, Kansas, Dean & DeLuca, Inc., and Commerce Bank, N.A., as purchaser of the Series IX-A, 2000 Bonds; authorizing the execution of a Series B Bond Placement Agreement by and between the City of Wichita, Kansas and Dean & DeLuca, Inc., as purchaser of the Series IX-B, 2000 Bonds; and authorizing the execution of a Series C Bond Placement Agreement by and between the City of Wichita, Kansas and DeLuca, Inc., as purchaser of the Series IX-C, 2000 Bonds, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- f) The Boeing Company – non-annexation agreement extension.

ORDINANCE NO. 44-829

An Ordinance authorizing the execution of a Supplemental Contract to Contracts dated October 3, 1980, and August 12, 1983, by and between the City of Wichita, Kansas, and The Boeing Industrial District of Sedgwick County, Kansas, relating to the annexation by said City of any part of such Industrial District, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- g) Water rate adjustment.

ORDINANCE NO. 44-830

An Ordinance amending Section 17.12.090 of the Code of the City of Wichita, Kansas, pertaining to schedule of rates and charges for water service, and repealing the original of said section, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

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- h) Sanitary sewer rate adjustment.

ORDINANCE NO. 44-831

An Ordinance amending Section 16.14.040 of the Code of the City of Wichita, Kansas, relating to the schedule of rates for users of the sanitary sewer system, and repealing the original of said Section, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- i) Appropriating the 2001 Budget and ratifying payment of all claims against the 2000 Budget.

ORDINANCE NO. 44-827

An Ordinance appropriating the amounts set up in each fund in the budget; providing for the payment of all claims and charges against the accounts provided for therein; and approving and ratifying the payment of all claims against the accounts, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- j) Sidewalk repair.

ORDINANCE NO. 44-828

An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- k) ZON2000-00047 - 750 Feet North of Maple on the West Side of Ridge Road.

ORDINANCE NO. 44-832

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. (ZON2000-00047)

- l) SUB 2000-89 Security Storage Addition.

ORDINANCE NO. 44-833

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. (PUD 2000-00002)

PLANNING AGENDA

Marvin Krout, Director of Planning, said Items 52 through 56 could be taken as consent Items.

Motion -- carried

Knight moved that Items 52 through 56 be taken as consent Items. Motion carried 7 to 0.

(Item 52)

VAC2000-00054

VAC2000-00054 – VACATION OF PORTION OF DRAINAGE EASEMENT, HAZELWOOD NORTH OF CLEAR MEADOW CIRCLE – 2429 HAZELWOOD. (District V)

Agenda Report No. 00-1282.

The applicant is requesting to vacate a portion of the drainage easement that is interior to property that he owns. The applicant wishes to reduce the width of the drainage easement.

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No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order. No written protests have been filed.

Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Item 53)
VAC2000-00055

VAC2000-00055 – VACATION OF UTILITY EASEMENT ON THE NORTHWEST CORNER OF HARRY AND ST. PAUL – 1539 SOUTH ST. PAUL. (District IV)

Agenda Report No. 00-1283.

The applicant is requesting to vacate a utility easement that is interior to property that she owns. She wishes to allow for the expansion of facilities.

No one spoke in opposition to this request at the MAPC's advertised public hearing, and the MAPC voted to approve the vacation, adopting the findings of fact that are incorporated in the Vacation Order, the applicant shall assume the ownership, maintenance and responsibility of the sanitary sewer line. No written protests have been filed.

Motion --
-- carried

Knight moved that the Vacation Order be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Item 54)
SUB2000-78

SUB2000-78 PLAT OF KENDALL THIRD ADDITION, LOCATED WEST OF HYDRAULIC, SOUTH OF HARRY. (District III)

Agenda Report No. 00-1284.

This plat is zoned LI, Limited Industrial. Sanitary sewer and City water are available to serve the site.

A No Protest Agreement has been provided for the future paving of Laura Avenue, and is on the same agenda.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

Motion -- carried

Knight moved that the Plat be approved and the necessary signatures be authorized. Motion carried 7 to 0. necessary signatures.

(Item 55)
STREET IMP.

STREET IMPROVEMENT AGREEMENT FOR KENDALL THIRD ADDITION, LOCATED WEST OF HYDRAULIC, SOUTH OF HARRY. (District III)

Agenda Report No. 00-1286.

This No Protest Agreement for the paving of Laura Street was required for the approval of the Kendall 3rd Addition. This Agreement assures the City of Wichita that this property will be included in the improvement district for paving of Laura Street and that the owners have waived their right to protest said paving.

Motion -- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Item 56)
SUB2000-98

STREET IMPROVEMENT AGREEMENT FOR LOT SPLIT NO. SUB2000-98 – AIRPORT INDUSTRIAL ADDITION, LOCATED EAST OF RIDGE ROAD, NORTH OF HARRY. (District V)

Agenda Item No. 00-1287.

Staff Recommendation: Approve the Agreement.

This No Protest Agreement for the paving of Pueblo Street was required for the approval of a Lot Split (SUB 2000-98) for a portion of Lot 2, Block A, Airport Industrial Addition. The Lot Split will allow for the creation of an additional lot zoned LI, Limited Industrial. This Agreement assures the City of Wichita that this property will be

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included in the improvement district for paving of Pueblo Street and that the owners have waived their right to protest said paving.

Motion -- carried

Knight moved that the Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DR 00-15

DR 00-15 REQUEST FOR STREET NAME CHANGE FROM RIDGE DRIVE TO GARNETT, LAKESIDE ACRES ADDITION, LOCATED WEST OF 127TH STREET EAST, SOUTH OF 21ST STREET NORTH. (District II)

Marvin Krout

Director of Planning reviewed the Item

Agenda Report No. 00-1287.

The Wichita-Sedgwick County Address Committee was created in 1994 to avoid and correct street naming and addressing problems being discovered as a result of increasing growth in the County and of using the Geographic Information System (GIS) maps and databases.

This street, located in a newly annexed area, is being renamed to avoid confusion caused by Ridge Road located on the west side of Wichita.

A meeting was held in October to review this street name change. At this meeting, the committee voted unanimously (4-0) to recommend use of the name of "Garnett" for this street.

All affected property owners were notified, and two residents appeared to object.

Motion --
-- carried

Pisciotta moved that the street name change be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance changing the name from Ridge Drive to Garnett, adjacent to Lots 7 through 12, Lakeside Acres Addition; and Lots 5 through 9, Lakeside Acres Second Addition, generally located West of 127th Street East, south of 21st Street North, introduced and under the rules laid over.

CON2000-00047

CON2000-00047 – CONDITIONAL USE TO PERMIT ANCILLARY PARKING FOR ADJOINING AZTEKA ENTERTAINMENT AND RESTAURANT ZONED LIMITED COMMERCIAL, LOCATED 300 FEET WEST OF ARKANSAS AVENUE ON THE NORTH SIDE OF 25TH STREET NORTH. (District VI)

Marvin Krout

Director of Planning reviewed the Item and said the applicant had requested to defer this matter to some time in February 2001 to allow time for them to contact neighboring businesses.

Agenda Report No. 00-1288.

MAPC Recommendation: Deny (9-3).

Staff Recommendation: Approve, subject to conditions.

D.A.B. IV Recommendation: Deny (7-0).

The applicants have requested a "Conditional Use" to allow additional off-street parking on property zoned "B" Multi-family located a block west of Arkansas Avenue on the north side of 25th Street North. The "Conditional Use" was denied by MAPC on November 9, 2000. Since the applicant appealed the denial, final action is required by the City Council.

The application area is shown on the attached map. It includes a buffer strip on the north and west side of the old Fireside Lanes bowling alley, zoned "LC" Limited Commercial, plus one-half the width of the vacated Mascot Street on the west and one-half the width of vacated Shelton Street adjoining Lot 1, Block B, Ramsey and Fuller Addition on the northeast.

The parking is being requested as a "Conditional Use" for ancillary parking to partially comply with parking requirements for the Azteka Restaurant being redeveloped in the old Fireside Lanes facility. According to the applicants, Azteka would be available for special events such as receptions and dances. It would offer restaurant facilities for gatherings. The applicants intend to obtain a license to serve liquor in conjunction with the restaurant's

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operation. The facility would not be classified as a drinking establishment or night club and would not require a "Conditional Use" as a "drinking establishment" as long as revenues from the sale of alcoholic beverages are less than 50 % of the gross revenues from the sale of all food and beverages. Were the operations of the facility to generate more than 50 % of its revenues from alcoholic beverages, it would need a second "Conditional Use" for a drinking establishment since it is within 200 feet of a school, public park, church and residence.

The estimated parking requirement for the building, based on its use as a restaurant, is 366 parking spaces. The proposed site plan shows a total of 231 parking spaces, of which 158 (68 %) are located in the "B" district and would be considered the ancillary parking. The facility is still 135 parking spaces short of meeting minimum requirements even if this "Conditional Use" application for ancillary parking is approved. The applicant will need to obtain a variance from the BZA or provide a solution for the parking shortfall. (See the "Recommendations" section for possible options.)

The surrounding land uses have changed character markedly since the bowling alley was built in the early 1960s. Safeway was located to the east, on the northwest corner of Arkansas Avenue and 25th Street. Today, this site is owned by the City and has been used as a community center (Arts and Crafts building).

The land to the north and west was occupied by 10-15 single-family homes. The original part of Henry Roe Cloud Elementary School was located on the northeast corner of 26th and Salina, and was separated from the bowling alley by the single-family homes. During the 1970s, these homes were removed and the land was incorporated into the Cloud school site on the west and into Evergreen Park on the north. A major expansion was completed for Cloud Elementary. Also, Evergreen Recreation Center was constructed. The rights-of-way for Mascot Avenue and Shelton Avenue north of 25th Street were vacated and reverted to the adjoining property owners. An interesting historical detail is that Mascot Avenue was originally dedicated as right-of-way for the Arkansas Interurban Railway, a trolley line that was never developed.

The area south of 25th Street North was developed in the 1940s and 1950s. There is an auto glass shop, a small restaurant, a few vacant lots, and a church south of the application area. Schell Park is located to the southwest.

At the DAB IV meeting held November 6, 2000, the DAB heard comments from the agent for the applicant, as well as from residents, concerned citizens, the North End Neighborhood Association, and the principal of Henry Roe Cloud Elementary School. In addition, the DAB requested information from the Office of Central Inspection concerning previous construction work in the building. DAB IV voted (7-0) to recommend "DENIAL" of the application based on these findings: 1) this facility will be used for a drinking tavern and not a restaurant; 2) the applicants were working on the facility without building permits; 3) the proposed business is in between two parks, a recreation center and a school with around 850 children; 4) safety of the area; 5) opposition from neighborhood residents and 6) opposition from USD 259 representing Cloud Elementary and North High School.

The Board of Park Commissioners, which has authority over the Evergreen Park property, discussed the Conditional Use at its meeting held November 13, 2000. The Park Board voted to oppose the Conditional Use.

At the MAPC meeting held November 9, 2000, the Commission voted (9-3) to recommend "DENIAL" of the Conditional Use. MAPC heard testimony from the neighbors, concerned citizens, and school representatives. The applicant filed an appeal of the MAPC decision, which requires final action on the request by the City Council.

Protest petitions have been received from USD #259 and the Board of Park Commissioners. These petitions represent 72.87% of the property within 200 feet of the property.

Mayor Knight momentarily absent.

Council Member Cole

Council Member Cole said many opportunities have been provided for the applicant to meet and discuss this matter with the neighbors and no representative of the applicant was present.

Motion --
-- carried

Cole moved that the findings of fact of the Metropolitan Area Planning Commission be adopted and the Conditional Use Permit be denied. Motion carried 7 to 0.

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AIRPORT AGENDA

YINGLING AVIATION RESOLUTION OF INTENT FOR TAXABLE AIRPORT SPECIAL FACILITY REVENUE BONDS - YINGLING AVIATION, INC.

Agenda Report No. 1289.

Yingling Aviation is one of three fixed base operators serving the general aviation public at Wichita Mid-Continent Airport. Yingling subleases a facility on Airport Road that is leased from the Wichita Airport Authority by Cessna Aircraft Corporation. Yingling Aviation is the authorized retail dealer for Cessna airplanes in the Wichita market. Yingling and Cessna are now proposing a \$1.5 million renovation and upgrade to the facility and wish to finance the improvements with Taxable Airport Special Facility Revenue Bonds issued by the Wichita Airport Authority.

Cessna and Yingling Aviation are proposing to substantially renovate and modernize the facility by building a new customer lounge and waiting area; creating new corridors; improving restrooms to ADA standards; expanding parking; creating a new passenger drop-off area with circular drive and canopy; installing new energy-efficient hangar doors; updating HVAC equipment; repairing damaged walls; eliminating and/or replacing windows; and upgrading T-hangars.

The proposed improvements will be financed over 20 years with taxable airport special facility revenue bonds which will be purchased by Cessna Aircraft Corporation or an affiliate. The issuance of the bonds will be subject to the applicable standard conditions for the issuance of City industrial revenue bonds, including advertisement for minority contractors, review by the Art and Design Board and submission of a water conservation plan and equal opportunity employment/affirmative action plan.

Yingling and Cessna agree to pay all costs of issuing the Airport Special Facilities Revenue Bonds. The current lease of the Yingling facility will be extended to cover the term of the proposed bond issue at lease rates that cover bond payments as well as lease payments to the Airport Authority.

Documents for the issuance of the Airport Special Facility Revenue Bonds will be prepared by the City's Bond Counsel, Hinkle Elkouri Law Firm L.L.C., and reviewed by the City Attorney's Office.

Motion --
-- carried

Knight moved that Resolution of Intent to issue Taxable Airport Special Facility Revenue Bonds for Yingling Aviation, Inc. in an amount not to exceed \$1.5 million be adopted. Motion carried 7 to 0.

RESOLUTION NO. A-00-013

A Resolution of Intent to issue Taxable Airport Special Facility Revenue Bonds for Yingling Aviation, Inc., in an amount not to exceed \$1.5 million, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CESSNA AIRCRAFT PURCHASE OPTION AND TRANSFER OF BOND-FINANCED EQUIPMENT: CESSNA AIRCRAFT COMPANY.

Agenda Report No. 00-1290.

In January 2000, the Wichita Airport Authority issued its Airport Special Facilities Revenue Bonds, Series A, 2000 in the principal amount of \$11,568,820 to finance the cost of constructing and equipping an aircraft completion facility for Cessna Aircraft Corporation located at Wichita Mid-Continent Airport. Staff wishes to revise Airport Authority policy to discontinue the use of Airport Special Facilities Revenue Bonds to finance equipment. To that end, Airport staff has negotiated with Cessna for the transfer of the equipment financed as part of this year's Airport Special Facilities Revenue Bond issue to be part of this year's City of Wichita Industrial Revenue Bond issue.

The principal purpose of Airport Special Facilities Revenue Bonds is to provide financing for the improvement, expansion and enlargement of Airport facilities. In contrast to City Industrial Revenue Bonds, real property improvements financed by Airport Special Facilities Revenue Bonds are not generally subject to an option by the Tenant to purchase the improvements when the Bonds have been retired. This reflects the special need for the City to maintain permanent control and possession of the essential public-purpose asset that is the Airport. Equipment and machinery financed with Airport Special Facilities Revenue Bonds do not fit this purpose and have been

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included in financing projects as a convenience for companies building facilities at the Airport. To the extent bond financing of equipment is required, it can be easily accommodated in the future by issuing City Industrial Revenue Bonds in tandem with the Airport Special Facilities Revenue Bonds.

In the case of Cessna, equipment and office furnishings costing \$366,375 were financed with the Series A, 2000 Airport Special Facilities Revenue Bonds. To effect the transfer to City Industrial Revenue Bonds, Cessna has agreed to exercise its purchase option by redeeming that amount of Series A, 2000 Bonds and directing the Trustee Bank to convey title to the equipment to the City. In the meantime, by action of the City Council on the same date, the City is issuing its Industrial Revenue bonds which include financing in the same amount for the same equipment.

There is no direct financial impact on the Airport Authority of the proposed action. The change of policy regarding use of Airport Special Facilities Revenue Bonds to finance equipment will relieve Airport staff of the requirement of monitoring equipment used by other businesses.

Motion --

-- carried

Knight moved that the Resolution authorizing the exercise of purchase option, redemption of bonds and transfer to the City of equipment and personal property financed by the Series A, 2000 Airport Special Facilities Revenue Bonds be approved. Motion carried 7 to 0.

RESOLUTION NO. R-00-014

A Resolution authorizing the exercise of purchase option, redemption of bonds, and transfer to the City of equipment and personal property financed by the Series A, 2000 Airport Special Facilities Revenue Bonds, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

FAA MASTER SITE

FAA MASTER SITE LEASE SUPPLEMENTAL AGREEMENT.

Agenda Report No. 00-1291.

The Federal Aviation Administration (FAA) and the National Weather Service (NWS) have entered into an agreement allowing the FAA to take total responsibility for the operation and maintenance of the NWS installed Automated Surface Observing Systems (ASOS) located on airports. It is, therefore, necessary for the FAA to obtain necessary rights through the Master Site Lease in order to complete this mission. In addition, the FAA requests that the standard Hazardous Materials Clause be incorporated in the Master Site Lease.

The WAA has entered into Master Site Leases with the FAA for both Mid-Continent and Jabara Airports. These leases identify locations and types of equipment installed, monitored, and maintained by the FAA. The supplement will become effective upon the date executed.

There are no monetary considerations.

Motion -- carried

Knight moved that the Agreement be approved and the signatures be authorized. Motion carried 7 to 0.

AIRPORT

SCHEDULE OF FEES AND CHARGES.

Agenda Report No. 00-1292.

Annually, the Wichita Airport Authority (WAA) adopts a Schedule of Fees and Charges and a Resolution to establish certain rates for aviation users of Mid-Continent Airport. The fees are calculated to maintain adequate revenue streams which will cover budgeted operating and capital costs incurred to support the related functions.

The landing fee rate and terminal rental rate calculations are in accordance with the methodology established in the airline/airport use agreement. Other aviation use fees are set to reflect market price. Rates are established for those entities who do not hold agreements with the WAA at a higher rate to reflect the lack of fixed commitment.

The rates proposed are at the same levels that were adopted for calendar year 2000. It is estimated that these rates will generate in excess of \$2,500,000 of revenue to offset the cost of operating the airfield and the non-lease related use of the terminal building. Other contract revenues also offset the cost of these areas.

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Motion --
-- carried

Knight moved that the Schedule of Fees and Charges be adopted and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. A-00-015

A Resolution adopting the Schedule of Fees and Charges, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RECESS
Motion --

-- carried

Knight moved that the City Council recess at 12:35 p.m. and move to executive session at 1:05 p.m. to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to legal advice and contract negotiations; preliminary discussions relating to acquisition of real property for public purposes; and return to regular session no later than 1:35 p.m. Motion carried 7 to 0.

The City Council recessed at 12:35 p.m. and returned at 1:30 p.m.

Mayor Knight announced that the Executive Session had not been held due to an extended lunch.

Motion --

-- carried

Knight moved that the City Council recess at 1:30 p.m. and move to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to legal advice and contract negotiations; preliminary discussions relating to acquisition of real property for public purposes; and return to regular session no later than 1:55 p.m. Motion carried 7 to 0.

RECESS

The City Council recessed at 1:30 p.m. and reconvened at 1:45 p.m.

Mayor Knight announced that no action was necessary as a result of the Executive Session.

RECESS

The City Council recessed at 1:45 p.m. and reconvened in regular session at 7:00 p.m.

Wichita, Kansas, December 19, 2000
Tuesday, 7:00 p.m.

The City Council met in recessed session at the Machinist Union Hall at 3830 South Meridian, at 7:00 p.m. Mayor Knight in the Chair. Council Members Cole, Gale, Lambke, Martz, Pisciotte; present. Council Member Rogers absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

A00-16

A00-16 – ANNEXATION OF PROPERTY GENERALLY LOCATED SOUTH OF 55TH STREET SOUTH, FROM WEST OF SENECA TO EAST OF HILLSIDE.

Marvin Krout

Director of Planning reviewed the Item

Agenda Report No. 00-1245.

The properties proposed for annexation are located south of 55th Street South, from west of Seneca to the east and west of Grove (Attachment No.1). On October 17, 2000, the City Council adopted the attached resolution that established December 19, 2000, at 7pm at the Machinist's Union Hall, 3830 S. Meridian, as the date, time, and place for a public hearing for this annexation.

This is the third phase of a three-phase annexation. The first phase was officially approved March 31, 2000, and brought approximately 1,386 acres into the City. The second phase was officially approved August 25, 2000, and brought approximately 159 acres into the City.

The subject area consists of approximately 15 acres and 12 properties (1 platted and 11 unplatted). The land-use pattern consists of five (5) residential tracts, two (2) vacant or farm related tracts or reserves, five (5) commercial tracts, and a section of 71st Street South. The majority of the area is zoned "RR" Rural Residential and "SF-20" Single-Family Residential, with a small area zoned "GI" General Industrial. Those areas zoned "RR" and "SF-20"

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will convert to the "SF-6" Single-Family Residential district upon annexation (SF-10 if requested by property owner) while other properties will retain their existing zoning. The proposed area for annexation is within the 2010 and 2030 Urban Service boundaries found in the 1999 Update to the Wichita-Sedgwick County Comprehensive Plan: Preparing for Change, adopted earlier this year.

An informational meeting regarding the proposed annexation was held on November 28, 2000 at the Machinist's Union Hall, 3830 S. Meridian. One (1) property owner attended the meeting and asked numerous questions regarding the proposed annexation.

The proposed annexation will allow for the continuation of the City's growth in the south part of Wichita. Although there are no properties in the annexation area currently being served by City of Wichita water, there are many valid water service petitions that have been submitted to the City Public Works Department. While some petitions have been approved and the projects are currently in the design stage, others are pending approval.

As for sewer, there are no properties in the proposed annexation area currently being served by the City of Wichita. These properties are currently served by private sewage disposal systems. There is a 60-inch sewer main located along 55th Street South running to the City's Sewage Treatment Plant No. 2, located to the northeast of the annexation area from which service could be extended.

The total appraised value of the land and improvements proposed for annexation is \$232,150 resulting in an annual City Ad Valorem tax revenue of approximately \$1,123. Major municipal services to be provided to this area upon annexation are street maintenance, ditch cleaning, culvert cleaning, fire protection, police protection, building code enforcement, and health code enforcement. The operating departments currently delivering these services will fund them upon annexation. Major municipal services, such as local street improvements, water and sewer service, may be provided to this area upon request of the property owners. The cost of municipal services requested by the property owners will be distributed among the City at large and the benefiting property owners according to current City policies.

The Service Extension Plan has been on file for public inspection in the Office of the City Clerk. Copies of the resolution establishing the public hearing, a map (showing the properties included) and a notice of the public hearing, were sent by certified mail to all property owners of record in the proposed annexation area and to other established governmental entities and utility services. Copies of the resolution and map have also been published in the official City newspaper as further notification of the scheduled public hearing.

The Metropolitan Area Planning Commission reviewed the proposed annexation for compatibility with the Comprehensive Plan on November 9, 2000. The staff report presented at the MAPC meeting indicated that the proposed annexation was in conformance with the Comprehensive Plan. The MAPC found the proposed annexation in conformance with the Comprehensive Plan by a unanimous vote (11-0).

In conducting the public hearing, Kansas statutes require that the City's plan for extending major municipal services be presented and that all persons interested in the annexation be heard. After hearing all comments of the persons interested, the City Council has the option of continuing or closing the public hearing, and approving or rejecting the annexation proposal.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that the Public Hearing be closed; the annexation request be approved and the Ordinance be placed on first reading. Motion carried 6 to 0. (Rogers absent)

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, introduced and under the rules laid over. A 00-16

ADJOURNMENT

The City Council meeting adjourned at 7:03 p.m.

Pat Burnett CMC
City Clerk